United Nations A/HRC/25/NGO/155

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11798
1411798

Please recycle

North Korean Refugees

Every year desperate citizens of the Democratic People's Republic of Korea try to flee their country. About 1,500 people escaped from the DPRK in 2013. Since Supreme Leader Kim Jong-un took over power, the refugee rate decreased by more than 40 % from 2,706 in the year 2011 to 1,509 in the year 2013. Two of the reasons for this development are stronger border controls and a stronger surveillance in the People's Republic of China, which is the first venue for most defectors. It is expected that the flow of defectors will constantly increase after the execution of Kim Jong-Un's uncle, former Vice Chairman of the National Defence Commission of North Korea, Jang Song-thaek. The government is about to strengthen its border controls. It is a sad fact that China supports this by reinforcing guarding on South Korean embassies and regarding North Korean defectors as "economic migrants" instead of "refugees". Moreover, the Chinese Government gave instructions to its authorities to treat them like criminals against the state.

North Korean refugees are awkwardly dispersed over all Asia. Some countries are less strict than others. Examples are Thailand and Cambodia. It is more difficult to escape through Laos, whereas the situation in Mongolia and Viet Nam is not really clear. Mongolia for instance has strong relations with China. But its authorities still allow South Korean embassies to accept North Korean refugees. Some North Koreans also flee to the Russian Federation. The country has signed the *Border Treaty* in 1990. With this Russia "agreed to send migrant workers such as loggers, defectors and asylum seekers back to the DPRK." It still seems that the Russian authorities are less strict about North Korean defectors than their Chinese counterparts. However, no matter which country they choose, it is an undeniable fact that a defection can never be a completely safe undertaking for North Koreans.

Nevertheless, there are still North Koreans who try to defect because of the unbearable situation in their country. People in North Korea constantly face immense problems such as hunger, repression, an insufficient health care system and a general lack of basic freedoms. Added to this one has to mention the constant fear of state authorities due to strict surveillance and a culture of denunciation. The humanitarian overview, which was published by the United Nations in March 2013, states that "around 16 million people remain chronically food insecure." Apart from this situation it is believed that between 80,000 and 200,000 North Korean citizens, including children, are held in either one of the 6 political prison camps or in one the numerous re-education camps. Reasons to get into these prison camps range from trivial offences to more severe "crimes". But the boundaries between these types of crimes are fluent. Everything could be considered as a crime against the state, including watching American or South Korean movies, listening to the radio or simply consuming any kind of Western media. The living conditions in the North Korean prison camps are terrible: detainees have to do heavy physical work for 10 to 12 hours per day while they get ridiculously small portions of food. They receive heavy beatings, rape, torture and public executions on a daily basis. Several former detainees and camp guards reported on their horrible experiences about the time they spent in these camps. According to reports by The International Coalition to Stop Crimes against Humanity in North Korea (ICNK) more than 10,000 people die in prison camps every year. Furthermore, it is estimated that more than 400,000 people have died in these camps during the last 40 years. Another report which was recently published by Human Rights Watch states that Kim Jong-un "continues to rely on an extensive prison camp system to punish dissenters and has made it more difficult and dangerous for North Koreans to flee the country". Furthermore, it says that Kim "has ordered border guards to shoot illegal crossers on sight". It becomes clear that the North Korean government does everything to prevent defections.

Up to 80 % of the North Korean refugees are women, which leads directly to the problem of human trafficking. This can mean either being sold as a bride or being sold into the sex trade. Especially in China, where a lot of single men are in search for a woman because of the one-child policy and the surplus of men, human trafficking of North Koreans is a huge problem. Sources say that between 70 % and 80 % of female North Korean defectors are victims of human trafficking. Without language skills and any documents, these women are completely helpless. They are often treated badly by their Chinese husbands and yet they are still not safe in China. It is not unusual that these women are repatriated back to North Korea if caught by Chinese authorities. Regarding the refugee issue, the main problem remains the repatriation policy of China and other Asian states. They have to repatriate North Korean defectors because

of bilateral agreements, especially between North Korea and China. There is a lot of pressure on the Chinese authorities and other Asian governments to send these people back to their homeland. There are about 50,000 North Koreans who are currently hiding in China. These people have to deal with a constant fear of getting caught by the authorities.

The countries "army-first-policy" is one reason of the horrible situation of many North Koreans, which includes famine, surveillance and constant fear of possible actions by the oppressive state. But defection contains a high risk as well: nine young North Korean orphans who tried to escape in May last year. They already made it to Laos where they were taken in custody while entering the South Korean embassy. Some newspapers assume that they are dead already after they were shown on North Korean television for propaganda reasons. Another case is the one of 13 defectors who were caught by Chinese authorities in the Chinese city of Kunming in November 2013. So far, their fate remains unclear, although various media reports assume that they have been sent back to North Korea already. The death of many other defectors is a sad fact. Eunhee Kim for example: she was 26 years old when she died from torture after she defected in 2012 and was repatriated in July of the same year. Eun Ok Park, 40 years old was seized by Chinese police in Shenyang and repatriated to North Korea in July 2012. She was beaten so badly in the head that she was discharged only to die in her home two months later. These two female victims were mentioned in a petition by the Defense Forum Foundation in cooperation with various other NGOs to exert pressure on the Chinese Government to stop repatriations of North Koreans. In October 2013 several North Korean defectors told the British Parliament during North Korean Defectors' Week about the time they spent in the prison camps. This event aimed to raise awareness of human rights abuses within North Korea. One of the defectors, Kim Young Soon, spent 9 years in Yodok, one of North Korea's most notoriously brutal prison camps. Like most of the prisoners, Ms. Kim had no clue about the reason for her captivity. Her whole family died during the imprisonment, including her eight-year-old son. Years after her release, she found out about her "crime". One of her friends had an affair with former leader Kim Jong-il. Simply knowing this fact brought her and her whole family to Yodok.

Nowadays, about 26,000 North Koreans live in South Korea. Of course some of them struggle with this new life which offers a variety of opportunities and freedoms. Therefore, it is also important to take care of North Korean refugees while they are trying to settle down in the new country.

Society for Threatened Peoples calls on the Human Rights Council to call on the Government of the People's Republic of Korea to:

- Stop the repression of their own people and let everybody the right to travel and move freely.

Society for Threatened Peoples calls on the Human Rights Council to call on the Governments of Asia to:

- Stop their repatriation policy. It is a well known fact that repatriated defectors have to face severe punishment, including the death penalty, if they are forced to go back.

United Nations A/HRC/25/NGO/156

General Assembly

Distr.: General
4 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11739
1411739

Please recycle

Severe human rights violations in the North Caucasus, Russian Federation

Security issues and the danger of terrorist attacks around the Olympic Games on Sochi have given the Russian authorities the opportunity to increase its campaign of repression in the North Caucaus region. It is to be expected that the situation will worsen after the Games have ended.

Chechnya
During two wars in Chechnya with approximately 120,000 dead, most severe human rights abuses such as the deliberate shelling of civilian targets such as refugees, schools and hospital, the „cleansing" of villages, murders, rapes and enforced disappearances were committed until the year 2009. The perpetrators both on the Russian as well as on the Chechen side were not brought to justice. Impunity reigned.

Starting five years ago, the Chechen President Ramzan Kadyrow has established a dictatorship in Chechnya. Kadyrow's reign is characterized by a massive personality cult, the missing of any democratic structures such as a functioning parliament, an independent justice system and free press, the far-reaching intrusions into the religious and private life as well as the collective punishment of those deemed to be supporting, sympathizing or having family ties with rebels.

Since the beginning of 2014 Ramzan Kadyrow has given several statements on so-called Salafists or Wahabis. He portrayed all those who wear a beard or a „non-traditional" Hijab as terrorists. Following his statements local security officers felt compelled to detain young men with beards directly after the Friday sermons. At the entrance of the University of Grozny the clothing of female students are being controlled. If they wear a black Hijab which covers the face „too much", they are being lectured. Cell phones of young mosque visitors are confiscated and scanned for the preachings of Salafists.

In recent weeks Ramzan Kadyrow warned all those who do not adhere to „his"version of Islam: „Not only will Wahhabism, Habashism oand other teachings that contradict the Quaran, Sunna and tariqa never exist in Chechnya, but also their very trace will be eradicated."

Society for Threatened Peoples is deeply concerned about the increasing curtailment of civil rights, the right to practice one's religion freely. The call for kin liability is deeply troubling.

Refugees from Chechny report on the reasons for them fleeing their homes:

- Arbitrary Imprisonment of people by the militia without any reason

- People are suspected of being terrorists, to sympathize or to be related with them. The intelligence services arrests them

- There are reports about persecution by warring party, especially if someone refuses to support them

- Women report about rapes and domestic violence

- The relatives are scared of government actions (imprisonment or disappearance) because of their contacts to the warriors (family relation)

- Refugees reported about abduction by men dressed in black

- Confessions are forced by torture, which lead to long imprisonments

- Family members are facing charges by the Russian authorities, because they fought during the civil war

- People are requested to work with President Ramzan Kadyrow, otherwise they are threatened, persecuted and put under pressure

Dagestan
Dagestan has evolved into the main scene of terroristic violence and state counter violence in the North Caucasus. The republic has the highest number of active Wahabi communities, known as Jamates. Official Russian reports stated that about 70% of all assaaults take place in Dagestan. Furthermore, the internet portal Kavkaskij Uzel reported that 946 people were killed in assassinations in the North Caucasus in 2013; 641 of them were in Dagestan.

There is no doubt that Islam has gained major influence and popularity. It is however important to distinguish between people who adopted a non-traditional Arab form of the Islamic religion like Salafism and live in peace, and the people who take Salafism as an argument to arm themselves and join the underground movement. But this distinction is often neglected by the media and politics of Dagestan, which leads to stigmatization of everyone, who is deemed Salafist or Wahabi. In 2012, the government organized a commission of rehabilitation and amnesty for former underground fighters and arranged a dialogue between peaceful Salafists and Sufis. But in 2013 the situation worsened. The previous openness to dialogue had lead to a measurable decline of assassinations.

Yet there were still so called cleansings in 2013 in Dagestani villages such as the village of Gimri in April 2013; many cafés, restaurants and schools, which were deemed Salafi were raided; dozens of peoples were temporarily detained and their identifications were recorded. Journalists and human right activists are again and again targeted by violence, especially after the publication of a "black lists" with their names in September 2013. The well-known journalist Achmednabi Achmednabiev was murdered on the 9th of July 2013.

Society for Threatened Peoples calls on the Human Rights Council to:

- Urge the Government of the Russian Federation to end impunity for human rights abuses and killings

- Urge the Government of the Russian Federation to increase its support for human rights campaigners and free media

United Nations A/HRC/25/NGO/157

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Pasumai Thaayagam Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11800
1411800

Please recycle

Severe human rights violation by conducting unlawful land acquisition and heavy militarization in the North and East of Sri Lanka

The heavy militarization in the North and East of the Island of Sri Lanka deem it impossible for the war-torn Tamil people to recover in any form. Heavy militarization is only possible due to other structural and legal defects. Namely the very problematic issue of unlawful land acquisition provides the environment and physical infrastructure for military presence.

Land acquisition

There is one main statute in Sri Lanka which governs the acquisitions of private land which is the Land Acquisition Act, No. 5 of 1950. This particular piece of legislation allows State Acquisition only for "public purpose". Case law defines "public purpose" as "public utility and benefit of the community as a whole". The court pointed out that the "community" which will benefit must naturally include the local community. Therefore it is not enough to create a few jobs and develop an infrastructure which benefits the country as a whole, but benefits must be directed to the local community. It is vital to illustrate the legal opinion of the Supreme Court which should be binding in order to comprehend the present critical situation in the North and East of Sri Lanka and in Sri Lanka as a whole regarding land grab and militarization and its implications for the people's right to own land and for other various violations and civil, political and human rights. Further below the effects of land acquisition which currently does not seem to serve any "public purpose" as demanded by the Court will be explained. It is, however, important here to refer to another critical issue in the present Sri Lanka in this context and to put this land acquisition issue into a larger political framework. "Public purpose" is interpreted narrowly. The local community is in the main focus and should be the main beneficiary of conducted land acquisition. Interestingly, the acquired land is mainly used for alleged military and security purposes. This leads to the assumption that the judiciary is increasingly getting dependent on the executive and thereby transforms into a more and more politicized institution. Furthermore currently the courts seem not to follow the above-mentioned established case law and thereby not upholding legal protection, equality and the protection of civil, political and human rights of the local community.

It is useful to briefly point out the various actors involved in the, overwhelmingly unlawful land acquisition. Firstly, the President himself is involved in land issues as he has relevant power over land. Additionally the president is the one who appoints the judges for all courts and as a result the outcome of cases concerning land issues can be channeled. Furthermore different ministries such as the Minister for Lands and Land Development, the Minister for Defence and Urban Development and the Minister for Finance have powers to deal with land issues. Adjacent to the Mahaweli Authority, which provides expansive powers to the Minister in charge, the Presidential Task Force (PTF) was created in 2009, which is mandated to "prepare the strategic plans, programs for resettlement of internally displaced persons, economic development and social infrastructure of the Northern Province". Approval from PTF is needed for all activities in the North. Thus it is unambiguously evident that the activities in the North are centralized which can and will affect collective as well as individual civil and political rights as the democratically elected representatives in the Northern Province Council will have less power to decide on the future of the local community which indeed is distinct from the majority community in Sri Lanka.

Another main actor involved in land issues and whose role will be examined in detail is the military. It is apparent that the purpose of the military being present in the North and East has not only to do with security reasons. Land which has been taken for purported "military purpose" is exposed to the control and access of military personnel. The devolution of power and the rule of law is flawing as the Secretary of Defence is the key decision-making body within the scope of military exertion of power. The heavy military involvement in land acquisition, administration and other areas further discriminates and subjugates the local community of Tamils and Muslims in the North and East of Sri Lanka.

Militarization

The number of security personnel in the North and East is overwhelming – the military-to-civilian ratio stands at 1:5. Eighteen divisions, out of the 20 divisions of the Sri Lankan military, are stationed in the Tamil homeland in the north

and east. The military is 99.9% Sinhalese, while the population in the area they occupy is predominantly Tamil. Temporary makeshifts have been transformed into permanent premises. Particularly, the size of the military personnel present in the Northern Province is worrying as it does not only have an impact on the civil and political rights of the Tamil people living there but also impedes the process of reconciliation and renders it impossible to establish lasting peace between the majority and minority communities. Already by end of the war military had over 200,000 personnel by expanding 9 to 20 divisions, 44 brigades to 71 and 149 to battalions to 284.

At least three to four army divisions and other units are attached to major headquarters in the North (Jaffna, Kilinochchi, Mullaithivu and Vavuniya) in order to realize some kind of "post-war military deployment".

It is, interestingly, very obvious that the military is involved in many issues in Sri Lanka after the war. Military personnel can be seen in landscaping and cleaning-up Colombo and other cities: selling vegetables and engaging in large-scale agriculture; running holiday resorts, restaurants, travel and cruise services; presiding over civilian government institutions and holding key postings in diplomatic missions including at ambassadorial levels; conducting leadership training in universities and building and maintaining cricket stadia. The Daily Mirror quoted the army chief as saying that plans are underway to start a new construction company under the auspices of the army.

Also in the Tamil regions, for instance in the Vanni the military personnel is busy with making roads, building schools and community centres, organising medical camps, community events and gatherings; liaising and overseeing the work of non-governmental organisations (NGOs), etc.

Moreover, the heavy involvement of the military in the daily life of people and the assumption of administrative functions and executive powers crucially shows the country's departure from democracy to a totalitarian state, which was also observed by the UN High Commissioner for Human Rights after her latest visit of Sri Lanka in August 2013, where she stated that Sri Lanka is heading "in authoritarian direction".

The heavy military presence is a sign of demonstrating siege and superiority towards the mainly Tamil population living in the North and East of the Island. The aspect that the Sri Lankan military is 99 % Singhalese also shows that diversity and pluralism is not supported in Sri Lanka. Furthermore it also lets to conclude that the heavy military presence in the, particularly, Northern Province tantamount to "occupation" as defined in the Hague Convention.

The main fear of this erroneous land acquisition is that the land is being used for other purposes than the law permits such as "Sinhalazation" by building new settlements in order to change the demographics of an certain area as in Weli Oya. Another third worry is that the Government is using land for commercial purposes instead of alleged development reasons and thereby not following the rules of the Land Acquisition Act. Such a process of land acquisition for commercial purposes can be observed in the case of Sampur. All the above-mentioned reasons for the acquisition of land, or rather land grabbing, only benefits the majority community and it can be easily argued that, for instance land settlement schemes and other programs will lead to a demographic change to the detriment of, particularly Tamils and Muslims.

Furthermore the Government of Sri Lanka did not respect the peace of the dead and their dignity as the Sri Lankan government has destroyed all war cemeteries for Tamil cadres. The State claims that it has done this to erase the memories of the ethnic war. Yet it is simultaneously engaged in actively promoting war tourism – reminding communities of the ethnic divide, projecting the Sinhalese as the victors and the Tamils as the vanquished. To Tamils, this tourist enterprise betrays the Sri Lankan State's true feelings about "reconciliation" on the island. Glorification of the war victory over the Tamil guerillas and the constant reminding of oppression and subjugation in various forms will ultimately lead to new insurgence in the coming years. Therefore it is of utmost importance that the unlawful acquisition of land is addressed domestically and internationally in order to find a durable solution to preserve peace and foster reconciliation.

United Nations A/HRC/25/NGO/158

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11762
1411762

Please recycle

Situation in Somalia

Somalia is a Federal State. Federalism corresponds with the diversity of the Somali society. Somalia often has been presented as a homogenous nation of Somali people who share one language, one religion and one culture, as a nation without minorities. Although there is a predominance of four Somali majority clans (Darod, Hawiye, Dir, Rahanweyn) which have been controlling government, politics and the economy for decades, according to estimations one third of the total Somalia population of 9.5 million people are belonging to minority groups (Yibir, Gaboye, Eyle,Galgala, Tumal and other groups). Somalia's minorities are diverse and not framed simply by different ethnic or linguistic backgrounds, but also by diverging social situations.

Although the Provisional Constitution of Somalia of August 2012 rejects secession, it promotes voluntary federalism of regions while establishing a decentralized democratic unitary government. But this system of clan federalism is flawed because persistent rivalries between the most powerful clans which deny equal rights and representation to smaller clans and minorities. Article 49 of the Constitution describes the opportunity of a voluntary merger of two or more regions based on the 1991 boundaries to form a Federal Member State. In the years 2013/2014 this provision of a possible merger of regions to a bigger and more powerful administrative unit has provoked armed conflicts, ethnic cleansing and massive human rights violations in Central and Southern Somalia.

Society for Threatened Peoples is concerned about on-going armed conflicts and clashes between clans, warlord militias and the national army in Lower and Middle Shabelle and in Hiraan province. In July 2013, Somali army and clan militias of Biyamal and Habar Gedir fought each other over regional influence. In November 2013, at least 11 people were killed after government forces and local militias in Lower Shabelle region fought at K 50 location. The fighting broke out between local militiamen and Somali army led by General Mohamed Roble Jimale Gobale, a close associate of former warlord Yusuf Mohamed Siyad Indha'ade. Several towns were seized by force by militias of warlords. Hundreds of civilians have been forced to flee from their homes. Heavy fighting between local clans and the national army also erupted in December 2013 and February 2014.

Traditional elders from different clans accused senior officials in the Federal Government in Mogadishu of fueling unrest in order to marginalize the indigenous residents of Lower Shabelle. The President of the Federal Government of Somalia, Hassan Sheikh Mohamud, has refuted these claims and deplored clan based clashes in Southern regions. The UN Special Representative of the Secretary-General for Somalia, Nicholas Kay, expressed his concern about the violent clashes between clans on December 18, 2013. Kay urged the Federal Government to fully investigate the incidents, but no serious and independent investigations have been launched yet. Somalia has to ensure that clan-based federalism does not hurt the legitimate interests of smaller clans and minorities.

Furthermore, the Federal Government has to guarantee free reporting by national media on the background of this violence between clans. The National Union of Somali Journalists (NUSOJ) strongly has condemned any attempts by local authorities in Hiraan region to ban media reporting on the incidents. The Somali Channel television has been banned in the town of Beletwein in Central Somalia by the Hiraan administration on January 26, 2014, after the television channel has been airing a report over recent clan fighting. The report had angered local administration officials.

Society for Threatened Peoples is extremely concerned about intimidation, threats and arbitrary arrests of journalists in Somalia, Jubbaland, Puntland and Somaliland. The UN Human Rights Council should call upon the administration of the Federal Government and regional authorities to respect the media freedoms and freedom of expression.

Since mid-2013, tens of thousands of internally displaced people living in legally and illegally settlements in Mogadishu have been forced by the authorities to move to makeshift settlements north of the city. More than 27,000 people were evicted in November/December 2013 from different settlements in Mogadishu. Despite promises by the Government to ensure a voluntary process, many internally displaced people complain about a lack of consultation and about human rights violations. Furthermore, they fear that in the new settlements basic services, security and protection will not be guaranteed.

The UN Human Rights Council should urge the Government of Somalia to:

- Ensure that the rights of smaller clans and minorities are respected and that clan-based federalism will not hurt the representation of less powerful clans
- Respect media freedoms and the freedom of expression
- Respect the rights of internally displaced people and the principle of voluntary resettlement and to ensure that basic services and protection will be guaranteed in their new settlements.
- Guarantee an immediate end to clan-based fighting and ethnic cleansing in Central and Southern Somalia.

United Nations A/HRC/25/NGO/159

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11764
1411764

Please recycle

Torture and Impunity in Ukraine

Since 21 November 2013, when the EuroMaydan movement in Kyiv started, hundreds of people have been wounded by police, hundreds have been abducted, arrested and tortured. There have been at least nine fatalities. Society for Threatened Peoples is especially concerned about reports of the use of torture and ill-treatment in police custody against government opponents. Based on the numerous incidents reported in the media, social surveys, and complaints received by human rights NGOs, it is estimated that thousands of Ukrainians are subjected to torture and other ill-treatment by police and other law enforcement officials every year, without redress. Police impunity is widespread and has a notoriously long tradition in Ukraine.

The case of Dmytro Bulatov, who was abducted on 22 January 2014 and reappeared again on 30 January 2014, was widely reported about. He described in detail what happened to him:

"They cut my ear, I couldn't feel how much they cut off my ear. They took the piece of my ear and touched my face with it," Bulatov said, adding that he became so desperate as the beatings continued that he falsely confessed to having received $50,000 from the US Ambassador in an attempt to stop the torture. "It felt as if melted metal was poured on my face. The only thing I wanted was for this to stop," Bulatov told reporters. "I said whatever they wanted."

Automaidan, the protest group run by Bulatov, was largely made up of drivers who would blockade streets to protect protest camps.

On the final day, Bulatov says he was pinned to a wooden door. "On the last day they put me on my knees. They said 'we are going to crucify you,'" he said.

Bulatov says that nails were then driven through his hands.

"I was asking them to kill me because I was unable to stand this anymore."

Society for Threatened Peoples along with protest groups in Ukraine fears that there are dozens of similar cases only since the start of the mass-protests in Ukraine. It is important not only to focus on the situation in Kyiv but so also monitor human rights violations in the provinces. For example on 26 January 2014, an anti-government protest, attended by several thousand people was held near the Dnepropetrovsk Regional State Administration. During the protest, a group of activists was attacked by a group of unidentified masked men with sticks. Many of them were carrying non-lethal weapons and police shields. All attackers were wearing yellow armbands. At least 80 people where injured, about 10 taken to hospitals in serious conditions. On 31 January 2014, at least 27 people were arrested in Dnepropetrovsk and accused of involvement in the riots. On 26 January 2014, a EuroMaydan rally was held near the Zaporozhye Regional State Administration. On the night of 27 January, security forces dispersed the EuroMaidan activists who had planned to stay for the night. According to eyewitnesses, the protests were "mopped up" form the square with shots from traumatic weapons and stun grenades. At least 100 people were injured and at least 47 were detained. Among the injured were three journalists.

Society for Threatened Peoples has observed the violent targeting of journalists by law enforcement officials not only in this case. Some media outlets have been prevented from covering the EuroMaydan events, and students have come under pressure for their participation in the events.

Another case gained wide attention: A protester in Kyiv was stripped and beaten and forced to stand naked in the cold. His fate stands as an example for widespread police brutality and arbitrariness. In this case the Ukrainian Minister of Internal Affairs took the unusual step of issuing a public apology for the incident. The reality is that individuals who complain about police ill-treatment have little chance of getting their complaints heard, let alone acted upon. There are no official statistics for the number of people that have complained about torture and other ill-treatment since the beginning of the EuroMaydan demonstrations.

Amnesty International reports yet another case: Mykhaylo Nyskohuz, a 17 year-old student from Chervonohrad in Western Ukraine, was beaten by riot police on 20 January in Kyiv. He claims that he was watching and filming the events on his mobile phone from the side when at 9.30 pm he was detained by four riot police officers. They beat him then forced him to walk down a corridor of officers, along with other detained protestors, and beat him as he was passed down the corridor. After that he was forced to lie on the icy ground while riot police tried to strip him while continuing to beat him. They also forced him to sing patriotic songs. He was finally taken to hospital, and had suffered a broken arm, broken fingers, head injuries, a knife wound to his buttocks and bruising. He has lodged a complaint with the Kyiv City Prosecutor concerning the torture and other ill-treatment. On 21 January, he was informed that he is suspected of participating in "mass disturbances" under Article 294 of the Criminal Code, and on 22 January, Solomyanskiy District Court put him under house arrest. He is currently being treated for his injuries in Chervonohrad.

As a state party to the UN Convention against Torture and the European Convention on Human Rights, the Ukrainian authorities have an obligation to ensure that all allegations of torture and other ill-treatment by the police, are promptly, effectively and independently investigated. With the ongoing protests the Ukrainian authorities need to put an end to impunity.

Society for Threatened Peoples calls on the Human Rights Council to:

- Ask the Ukrainian government for an invitation of the Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment to Ukraine

- Pressure the Ukrainian authorities to end impunity for torture and other degrading treatment of protesters of the EuroMaydan movement

United Nations A/HRC/25/NGO/160

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11794
1411794

Please recycle

Situation in the Syrian Arab Republic

According to UN estimates, at least 130,000 people have died in the Syrian Arab Republic during nearly three years of ongoing clashes between government opponents and Syrian forces.

Initially, peaceful demonstrations transformed into a national uprising and the pursuit of freedom has turned into a bloody civil war which is threatening more and more people – especially religious and ethnic minorities of Syria.

The Society for Threatened Peoples, as a human rights organization which advocates the rights of persecuted or threatened ethnic, linguistic and religious minorities, is particularly concerned about the fate of the non-Arabic and non-Sunni population of Syria. Ethnic and religious minorities make up at least 45 percent of the Syrian population. Under the government of the Assad family, who pursue a rigorous Arabization policy, minorities in Syria have long been exposed to oppression, physical attacks and expulsion. Thus, for the minorities, the beginnings of the protests were also accompanied by a hope for a more tolerant country.

Now however, the ethnic and religious minorities have reason to believe that their situation in a new Syria will hardly improve. At the moment, the Syrian minorities are confronted with a new threat, namely the totalitarian Islamist ideology which Jihadists from all over the world want to establish in Syria by force, and which partially falls on fertile ground within the Syrian opposition.

The majority of the 20 million Syrians are Arabic and adhere to Islam. However, the population is mostly of the Sunni faith. Druze, Ismaelites and Alawites – president Bashar al-Assad also belongs to the latter - are part of the Shia minority. The non-Muslim population consists primarily of Christians; the

Yazidi form the smallest religious minority in Syria with only a few thousand members.

The Kurds form the biggest ethnic minority. They have also become an independent party in the conflict, as many of them only have Kurdish interests in mind, and are striving for home rule in their areas of settlement, following the example set by the autonomous region of Kurdistan in Iraq. In late January 2014, the three Kurdish regions in Northern Syria declared themselves to be autonomous regions. This was mainly initiated by the PYD (Democratic Union Party): Jazeera, Kobani and Afrin, all three of them sharing a border with Turkey, proclaimed their new status without including the opposition or the government. The latter has not officially reacted yet while the former publicly disapprove of any autonomy. Islamistic opposition groups such as ISIL and other organizations associated with al-Qaida are waging an open war against the autonomous regions and are persecuting Kurds as well as Christians.

The remainder of the ethnic minorities also face an uncertain future. Many Christian Armenians and Assyro-Arameans, who are often considered as indigenous due to their long past in Syria, are threatened by flight and displacement. Furthermore, many Circassians are fleeing from the civil war and its effects. The Turkmen, many of whom live in the war zones in the northwest of the country, also experience clashes on a daily basis. Hence, all minorities in the country are already either directly affected by the war or threatened by its consequences. After the end of the civil war, which is becoming increasingly remote the longer the conflict wages, all minorities have to receive the same rights so that the country can find peace.

The government's fighters as well as opposition groups are receiving support from international agents. This support manifests itself not only in weapon supplies but also in the promotion of their interests and voices through e. g. the United States or Russia. Minorities such as the Kurds, Christians, Yezidi and others do not have any backup of this kind. Thus, their position in the conflict is easily ignored: due to pressure from Turkey the US did not allow the participation of a Kurdish delegation, representing about 20 percent of the population, at the Geneva II talks.

The violence of the government as well as that of the Islamist combat units of the opposition against the civil population has to be discontinued with immediate effect. For an interim solution, direct access to the besieged regions from both the government and opposition troops must be guaranteed. Especially in the regions of Yarmuk and Homs, besieged by

government troops, and in the Kurdish regions of Afrin, Kobani (Ain al-Arab), Nubl and al-Zahraa, besieged by opposition troops, the civilian's starvation is being used as a weapon which has to be stopped with immediate effect.

Society for Threatened Peoples is convinced that peace in Syria can only be successful if the interests of all parts of the Syrian population are retained. The minorities, especially the approximately four million Kurds and Christians, have to be considered when talking about the future of Syria.

Society for Threatened Peoples Society for Threatened Peoples therefore calls on the Human Rights Council to call for:

- All opposition groups have to guarantee the observance of human rights. Opposition groups, including the Kurdish PYD, have to ensure freedom of speech and demonstration as well as all other human rights for everyone in the areas controlled by them. They have to grant access to international and local commissions to examine the prisons which they operate.

- All plans by western governments for an intervention in Syria may only be considered if a complete plan for the solution of the existing conflict inside Syria is "on the table". Minorities and the whole of the civilian population must be protected not only from Assad's air force, but also from the marauding armed bands of any background. After military intervention, the population in Syria must not be left to their fate, as was the case in Somalia.

- Support for any opposition group or the Syrian government must presuppose a new constitution in which the linguistic, cultural and administrative rights of the Kurds as well as the Assyro-Arameans and other minorities are guaranteed. Christians, Yezidi, Alawis, and Druze must be able to enjoy complete freedom of worship.

- There must not be impunity in a future state of Syria. All people responsible for war crimes and violations of human rights are to be called to account.

- Turkish Prime Minister Erdogan has to be appealed to in order for him to open up the Turkish borders to the Kurdish regions of Jazeera, Kobani and Afrin, so that humanitarian aid can reach the distressed population. In these regions, where not only Kurds live but also refugees from the whole country find shelter, irrespective of their religious or ethnic background, people are lacking the most essential things, such as food or medication. Providing for these is not possible, especially since access to the regions from the South is blocked by the Syrian government and opposition fighters and from the North by Turkish troops.

- An international Syria conference must be convened as quickly as possible. At this conference, a peace process should be initiated in which all Syrians are involved, including all minorities as well as the opposition and the government. Furthermore, all foreign participants must contribute to a constructive solution to the conflict.

- Future international talks about a solution can only take part with representatives of ethnic and religious minorities present as equal participants.

A/HRC/25/NGO/161

Readex
Fiche

United Nations A/HRC/25/NGO/161

General Assembly

Distr.: General
4 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11687
1411687

Please recycle

A House in Visegrad, Bosnia and Herzegovina

On 21st January, 2014, the Serbian Municipality of Visegrad decided to send out police forces to prevent a public memorial service for the survivors of the genocide against Bosnian Muslims (Bosniaks) that took place in the eastern Bosnian town near the Drina river during the Bosnian war (1992-1995). More than a hundred masked special unit policemen were sent to the Muslim cemetery Strážišt morning to remove the word "genocide" from a commemorative plaque at the memorial site.

Before, on December 24, 2013, the city administration had ordered the demolition of a house in which Serbian troops had burned alive 70 women, children and elderly men. An international campaign was able to prevent the demolition. This politically-motivated act appeared intended to eliminate the memory of past crimes and dissuade members of the exiled former majority Bosniak/Bosnian Muslim community from exercising the right to return to Visegrad enshrined in the 1995 Dayton settlement of which the European Union is one of the international guarantors.

A representative of the Office of the High Representative (OHR) who has visited the site commented that he could see with his own eyes that there weren't any problems with the house and said that that the order of the municipal authorities to demolish the house on Pioneer Street gave representatives of the international community cause for concern. He said that time should be allowed for a proper legal review including the right to appeal.

In 1991, the municipality of Visegrad had 21,199 inhabitants, 63.5 percent of them Bosniaks. Today, there are less than 12,000 inhabitants. About 1,500 of them are Bosniaks who returned after the war. The Muslim people in Visegrad are trying to ensure that every Muslim grave stele on the cemetery bears the word "genocide".

Visegrad occupies a historically strategic location on the road from the garrison town of Uzice in Serbia to the Bosnian Serb wartime headquarters at Pale and the BiH capital Sarajevo. Some of the most terrible incidents of the Bosnian War took place in the town as the majority Bosniak/Bosnian Muslim population was terrorised into leaving. These included the Pionirska Ulica (Pionirska Street) and Bikavac fires in which approximately 150 elderly men, women and children as young as two days old were burned alive, mass rapes, murders and disappearances at Vilina Vlas and other local rape camps and brutal executions on Visegrad's UNESCO World Heritage Site Mehmet Pasha Sokolovic bridge.

The remains of the house at Pionirska Street have served as a physical reminder of the crime, a memorial to the victims and a focus for the commemoration ceremonies that every year bring back survivors and relatives dispersed elsewhere in Bosnia who are deterred from a more permanent return by a persistent atmosphere of hostility.

Society for Threatened Peoples urges the Human Rights Council to urge the European Union to:

- Ensure that the remains of the house at Pionirska Street can continue to serve as a physical reminder of the crime, a memorial to the victims and a focus for the commemoration ceremonies that every year bring back survivors and relatives dispersed elsewhere in Bosnia who are deterred from a more permanent return by a persistent atmosphere of hostility.

United Nations A/HRC/25/NGO/162

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 4
Human rights situations that require the Council's attention

Joint written statement* submitted by the Union of Arab Jurists, the International Organization for the Elimination of All Forms of Racial Discrimination, Women's International League for Peace and Freedom, the International Volunteerism Organization for Women, Education and Development - VIDES, Nord-Sud XXI - North-South XXI, Arab Lawyers Union, Arab Organization for Human Rights, General Arab Women Federation, Indian Movement "Tupaj Amaru", Organisation Mondiale des associations pour l'éducation prénatale, United Towns Agency for North-South Cooperation, non-governmental organizations in special consultative status, Indian Council of South America (CISA), International Educational Development, Inc., International Human Rights Association of American Minorities (IHRAAM), World Peace Council, non-governmental organizations on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11768
1411768

Please recycle

Systematic and Widespread Unlawful Arrests in Iraq

The well-known practice of arbitrary arrests, unlawful detentions (including detentions in secret facilities), enforced disappearances, torture and other forms of ill-treatment in Iraq constitutes a serious violation of the international human rights law, international criminal law and international humanitarian law. The Iraqi government and its state agents consistently implement policies and carry out actions that infringe the right to liberty and security of a person, the right to a fair trial, including habeas corpus and an absolute prohibition of torture and ill-treatment. These violations are widespread and systematic. The perpetrators know that their conduct is part of an attack against civilians, which amount to crimes against humanity in accordance with international law. The international community should undertake immediate and effective measures to halt this practice and to ensure that the perpetrators brought to justice and victims restored in rights and compensated.

Systematic and Widespread Unlawful Arrests

An alarmingly increasing rate of targeted and random arrests without warrant, charges or based on suspicion of involvement in terroristic activity further agitate the sectarian tensions and cause more violence in Iraq. This policy was master-minded during the illegal occupation to fuel hatred and create false divisions in the Iraqi society. The current Iraqi administration continues this misconduct in a systematic and widespread manner. The arrests are often indiscriminate in nature and represent a regular well-known practice with the excessive use of force, including lethal force during the arrest raids, especially those conducted by the Minister of Interior, Counter-Terrorism Directorate and the Ministry of Defence. The majority of the arbitrary arrests are sectarian and politically motivated under the pretext of the fight against terrorism. The sectarian nature of these attacks against certain religious group represents a discrimination based on distinctive characteristics. The perpetrators are well aware of the sectarian policy. The afore-mentioned fulfil the elements of a crime against humanity.

The arrests in the interest of the supposed public safety and security target either a specific political figure or a particular group. Several non-governmental organisations, pointed out numerously through urgent appeals, written statements and press releases, the majority of arbitrary arrests based on the prefabricated charges of terrorism were undertaken with a political agenda in mind[1]. Even those persons who were part of the so-called political process were targeted seemingly on a sectarian basis[2].

The Iraqi society also suffers from massive arbitrary arrests. The following examples give a clear snapshot of the situation: the arrest of approximately 1,500 persons following the direct order of al-Maliki[3], indiscriminate arrest of at least 4000 persons in one single act before the summit of the Arab League in March 2012.

Further alarming waves of arrests occurred in August 2013 under the campaign officially named "Thár al-Shuhadá" or "Martyrs' Revenge". More than 1,000 persons arrested and dozens killed in the operation around Baghdad and Al-Anbar and other provinces as "terrorists", which also undermines the presumption of innocence. "The name of the campaign itself – 'Martyrs' Revenge' is indicative of Maliki's promotion of revenge and not only gives a sense of justification for the mass arrests being executed but incites sectarian support for a highly unjustly-executed operation"[4] [5]

---

[1] - See: http://www.gicj.org/index.php?option=com_frontpage&Itemid=42

[2] - For example in the cases of Ahmed al-Alwani (Member of the Parliament), Rafa al-Essawi (then Finance Minister), Tariq al-Hashemi (Vice-President).

[3] "*Iraq: Mass Arrests, Incommunicado Detentions*", Human Rights Watch, May 2012 at http://www.hrw.org/news/2012/05/15/iraq-mass-arrests-incommunicado-detentions

[4] "*GICJ appeals to High Commissioner for Human Rights and Special Rapporteurs on the mass human rights violations in Iraq*", August 2013 at: http://gicj.org/index.php?option=com_content&task=view&id=326&Itemid=197

[5] Ms. Etab Al-Douri, a Member of the Parliament, expressed her belief that those arrested are innocent and stressed that the campaign is strategically sectarian in nature. She stated that if one examines the geographic location of the campaign, it becomes evident that it is systematically concentrated in particular sect-dominated areas, and that a

Detention in Violation of Due Process and Fair Trial Guarantees

The illegal invasion to Iraq resulted in the destruction of the entire Iraqi judicial system. '..the dismantling of state institutions under the occupation and methods introduced by the US-Forces, who established the Special Police Commandos and set up prisons like Abu Ghraib.'[6] The corruption in the administration of justice undermines the credibility of justice system and casts doubts on conviction of persons accused in such a serious crime as an act of terrorism. The interference of the executive in the affairs of the judiciary undermines one of the core elements of a democratic state such as separation of powers. During the 79th anniversary of the Iraqi Bar Association the Iraqi Prime Minister expressed congratulations to those lawyers who refuse to represent the 'terrorist' detainees and clear threats to those lawyers who defend them is one of the outrageous examples of public interference.[7]

Serious violations of the arrested person's rights provided for in the International Covenant on Civil and Political Rights (ICCPR) and other core international instruments that Iraq has ratified represent regular and widespread practice. The fate of an arrestee can be easily predicted in advance: unlawful detention, torture and/or ill-treatment and questionable sentence. Following the arbitrariness of arrests, the detainees face abuse of due process and fair trial guarantees. There are a number of complaints on lengthy and unreasonable delays in informing the detainees about charges against them. The practice of torture and ill-treatment during interrogations in the places of detention run by the Ministry of Interior and Anti-Terrorism Directorate are documented. The confessions obtained by torture and ill-treatment are often used as evidence in the court to convict in the absence of credible evidentiary material. According to the Iraqi law, the accused are provided with free legal representation, but there are complains that the accused meet the state-appointed lawyers for the first time at the court proceeding.

These allegations represent serious violations of customary international law, the provisions of the ICCPR and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment. The most disappointing is that, as noted by the report of the UN Mission in Iraq, the government of Iraq fails at making significant progress in implementing the legal, institutional and policy reforms to ensure the respect for the provisions of the Iraqi Constitution and international human rights law.[8]

Enforced Disappearances and Secret Detentions

The Convention for the Protection of All Persons from Enforced Disappearance, which Iraq has ratified in 2010, provides that *"no one shall be subjected to enforced disappearance"* and that *"no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance."* According to the Rome Statute of the International Criminal Court *"when committed as part of a widespread or systematic attack directed at any civilian population, a "forced disappearance" qualifies as a crime against humanity, and thus is not subject to a statute of limitations".*

The situation in Iraq is dramatic. NGOs continuously emphasises how widespread and systematic is this misconduct and its impact on the Iraqi society.[9] Rough estimates indicate more than one million persons have disappeared in Iraq. According to the UN data, the country has the most disappeared in the world.[10]

---

review of past operations and campaigns demonstrates that it is always certain sects that are targeted. An interview given to Al-Sharqiya News on 20 August 2013.

[6] *"NGOs urge UN to stop death penalty in Iraq: the Government of Iraq can no longer arbitrarily execute people at will and with impunity"*, May 2013 at:
http://gicj.org/index.php?option=com_content&task=view&id=309&Itemid=197

[7] *"Iraq - Continuous interference of the executive in the judiciary"*, at:
http://gicj.org/index.php?option=com_content&task=view&id=116&Itemid=52

[8] *"Report on Human Rights in Iraq: January-June 2013"*, UNAMI and UN OHCHR, August 2013, Baghdad.

[9] *"Iraq- Attacks and disappearances involving the Ministry of Higher Education Personnel"*, November 2012 at:
http://gicj.org/index.php?option=com_content&task=view&id=122&Itemid=52

[10] The ICRC's Paul-Henri Arni said that Iraq after three conflicts – a war with Iran in the 1980s, the first Gulf War in 1991 and the U.S.-led operation in 2003 – was probably facing the highest number of missing people in the world. *"Accounting for missing people*

The problem of the disappeared and/or missing persons in Iraq is treated with secrecy by the authorities and the given figures are downplayed and very unreliable. Iraq says it has no central database to try to link the unidentified bodies that have been buried anonymously with the list of names of the missing. Moreover, the victims' families are often reluctant to claim the bodies from the six Medico-Legal Institutes around the country for fear of reprisals. Even looking for missing relatives in hospitals is not safe. In addition, there are reports of bodies that end up buried in mass graves and are not recorded at the morgues.

Disappearances still occur on a very regular basis in Iraq. The most important parties involved now are the Iraqi army, police, various militias and terrorists group. 'Often, forced disappearance implies murder. The victim in such a case is first abducted, then illegally detained and often tortured; the victim is then killed, and the body is then hidden. Typically, a murder will be surreptitious, with the corpse disposed of in such a way as to prevent it ever being found, so that the person apparently vanishes. The party committing the murder has deniability, as there is no body to prove that the victim has actually died.'[11]

Moreover, the growing phenomenon of secret prisons in Iraq, which even international organizations have failed to locate, leads to a large number of reported and unreported cases of forced disappearances. "There is no safe place in Iraq. People can be disappeared and sent to secret, illegal detention centres anywhere in the country, without the knowledge of the family or the person's lawyer……Many are assassinated and buried in secret. Many others are charged with trumped-up terrorism charges."[12] According to the UN Human Rights Council, "secret detention amounts to an enforced disappearance."[13]

We call on:

- the Iraqi authorities to undertake genuine actions to ensure the implementation of its international obligations under both international humanitarian law and human rights law;
- the Working Group on Arbitrary Detention, the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions and the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to visit Iraq and fully investigate all cases of arbitrary detention, torture and ill treatment;
- the UN and the Human Rights Council to ensure that all human rights violations in committed in Iraq during the sanction, and since the 2003 invasion and occupation to be investigated by an international independent body;
- The reinstatement of the position of a Special Rapporteur for Iraq.

BRussels Tribunal, Arab Lawyers Association- UK, Geneva International Centre for Justice (GICJ), Association of Humanitarian Lawyers (AHL), The International League of Iraqi Academics (ILIA), The Iraqi Commission on Human Rights (ICHR), Women Will Association (WWA), Organization for Widows and Orphans (OWO), Ikraam Center for Human Rights, Belgian Peace Movement, Ligue camerounaise des droits de l'homme, Monitoring Net of Human Rights in Iraq (MHRI), Women Solidarity for an Independent and Unified Iraq, Alliance to Renew Co-operation among Humankind, International Coalition against War Criminals (ICAWC), Medical Aid for the Third World, Association of

---

is vital for stability in a post-war scenario – ICRC", James Kilner, AlertNet London, November 2009 at: http://www.reliefweb.int/rw/rwb.nsf/db900SID/MUMA-7XS4PY?OpenDocument

[11] *"Enforced Disappearance: The Missing Persons of Iraq"*, Dirk Adriaensens at: http://www.globalresearch.ca/enforced-disappearance-the-missing-persons-of-iraq/22164

[12] *"Iraq: Enforced disappearances – "a long-term challenge"* at http://www.irinnews.org/report/91622/iraq-enforced-disappearances-a-long-term-challenge

[13] In addition, "secret detention effectively takes detainees outside the legal framework and renders safeguards contained in international instruments meaningless, including, importantly, that of *habeas corpus"*. See: Joint Study on Global Practices in Relation to Secret Detention in the Context of Countering Terrorism, UN Document A/HRC/13/42, May 2010.

Iraqi Diplomats (AID), The African Association of Human Rights (AAHR), Protection of Human Rights Defenders in the Arab World, Moroccan Association for the Right to a Fair Trial, Americans Against the War (France), General Federation of Iraqi Women (GFIW), The International Action Center (IAC), American Worker, Association of Iraqi Intellectuals and Academics, The International Network of Arab Human Rights NGOs, America In Solidarity, Federacion De Mujeres Cubanas, Association of Victims of American Occupation Prisons, International Anti-Occupation Network (IAON), International Lawyers.org, International Society of Iraqi Scientists, The Perdana Global Peace Foundation, Kuala Lumpur Foundation to Criminalise War, Spanish Campaign against the Occupation and for Iraq Sovereignty- CEOSI, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, El Taller International, World Courts of Women, Center for Development Studies- India, Wariscrime.org, Action Center for Justice, 1% A Peace Army.org, A Bigger Tent.org, Agir contre la guerre (France), American Voices Abroad (Berlin, Germany), American Voices Abroad Military Project (Europe), Anti War Fair, Arizona Christian Peacemakers, Armbands for Peace, Arms Against War, Artists Against the War, Backbone Campaign, Be the Change, Become Active, Bike for Peace (Germany), Bill of Rights Defense Committee, Bird Dogger Org., Children of Iraq Association (UK),Bloomington Peace Action Coalition (IN), Blue State News Only, Boston Mobilization, Bring Democracy Back, Bring Them Home,Butterfly Gardeners Association, Citizens for Accountability on Iraq, California for Democracy, Camp Casey Blog, Camp U.S. Strike for Peace Campaign, Campaign Against Sanctions and Military Intervention in Iran, Canada Watch, Carolina Peace Resource Center (SC), Cartoon Free America, Catalysts of Hope, Central Colorado Coalition on the Iraq War, Chester County Peace Movement (PA), Cindy Sheehan Org., Cities for Peace, Citizens for Legitimate Government, Citizens for Peace & Justice, Human Rights for all-Morocco, Christian Clergy For Impeachment.com, Clothing of the American Mind, Coalition Against Election Fraud, Coalition for Impeachment Now (COIN), Code Pink, the Iraqi Association for Human Rights (IAHR), Al-Basa'er Media Association, Consumers for Peace.org, Dhafir Trial.org, DC Anti-War Network.org, Democracy Action, Democracy for America Meetup (Birmingham, AL), Olympia Citizens' Movement to Impeach Bush/Cheney (WA), One Million Reasons, Operation Cease Fire, Operation Impeachment, Orange County Grassroots (CA), Out of Iraq, Out of Iraq Bloggers Caucus, Patrick Henry Democratic Club, Patriotic Pulse, Patriots for Gore, Peace Action, Peace Action Wisconsin, Peace and Accountability, Peace Drum, Peace Majority, Peace Movement Aotearoa (New Zealand), Peace Reso.org, Peninsula Peace and Justice Center (Palo Alto, CA), People's Campaign for the Constitution, People Powered Impeachment, People's Email Network, People's Glorious Five Year Plan, Picnic to Impeach, Pixel4Peace.org, Playing in Traffic, PledgeToImpeach.org, Political Cooperative, Politics and Art, Progressive Action Alliance, Progressive Action Center, Progressive Avenues, Progressive Democrats of America, Progressive Democrats of Hawaii Project Filibuster, Project for the OLD American Century, Refusing to Kill.org, Rescue Our Democracy, Sacramento for Democracy (CA), St Pete for Peace (FL), Sampsonia Way, San Diego for Democracy, School of the Americas Watch, Sheehan for Congress, South Florida Impeachment Coalition, South Mountain Peace Action (Maplewood & South Orange, NJ), Springs Action Alliance (CO), Stop the War Coalition (UK), Students for Impeachment, Students Towards a New Direction (STAND), Summit County Progressive Democrats (OH), The Known UnKnowns, The Politically Incorrect Cabaret, The Rational Response Squad, Think Blue Dems, Time for Accountability, Toronto Coalition to Stop the War (Canada), Torture Abolition and Survivors Support Coalition International, True Blue Liberal.org, Trumansburg Impeachment (NY), Truth Empowered, Truthtelling Project, UC Nuclear, Underground Action Alliance, Unitarian Universalist Peace and Justice Group (Nantucket, MA), United Blue USA, United for Veterans (Wayne, MI), United Progressives, Upbeat Defiance, US Peace Memorial, US Tour of Duty: Iraq Veterans and Military Families Demand the Truth, Velvet Revolution, Vet Gulf March, Veteran Intelligence Professionals for Sanity, Veterans for Peace, Chapter 27, Virginia Grassroots Coalition, Voters for Peace, We the People for Peace, We the People Network, We the People Now, We The People United Bangladesh.org, Peace Surge, Peace and Justice Action League of Spokane (WA), Stop the War (UK), U.S. Peace Council, World Can't Wait.org, World Prout Assembly, Komite Internazionalista- Basque, Asociación Paz, Igualdad y Solidaridad Internacional, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, Málaga, Spain, Stop Fascism Action Network, The Asian Jurists Centre, Association of Human Rights Defenders in Iraq (AHRDI), The African Center for Human Rights (ACHR), Veterans for Peace, Your Declaration of Independence.org , Arab Lawyers Network-UK, Conservative Centre of Environmental & Reserves in Fallujah (CCERF), Willie Nelson Peace Research Institute, Studies Centre for Human Rights and Democracy, The Iraqi Centre fo Human Rights, Association internationale des droits de l'homme NGO(s) without consultative status, also share the views expressed in this statement.

United Nations A/HRC/25/NGO/163

General Assembly

Distr.: General
4 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Consortium for Street Children, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11689
1411689

Please recycle

Access to Justice for Street Children*

In March 2012, during the UN Human Rights Council's 19th session, the UN Office of the High Commissioner for Human Rights presented its report entitled 'The protection and promotion of the rights of children living and/or working on the street' (A/HRC/19/35). The report recognises street-connected children as individuals 'for whom the street is a central reference point – one which plays a significant role in his/her everyday lives and identity'.

Street children and youth have particular vulnerabilities, due to the high levels of stigma and discrimination they encounter in their daily lives. Street children come into frequent contact with criminal justice systems around the world. With limited support structures in place, particularly from adult guardians, street children have very limited access to justice.

A 14 year old girl was accused of being a witch by her uncle and suffered daily beatings as a result. After a local pastor confirmed the accusation, she was forced out onto the streets. A member of the public found her and informed a local child rights organisation, who took her to the police. However, the police initially refused to investigate the case because she was a witch and a street child, and therefore was considered undeserving of support. The local NGO negotiated on her behalf and persuaded the police to take the case. Although the girl has now been found safe alternative accommodation, to date no action has been taken against either the uncle or the pastor, and there has been no investigation of the behaviour of the police.[1]

Criminalisation of street children:

The term 'street child' often carries with it negative connotations causing street children to be seen as delinquents or criminals. Children perceived as delinquents are more likely to be feared, excluded and viewed as a public nuisance, rather than children who should be protected and have access to justice. Such negative perceptions and criminalisation of street children is borne out in their repeated subjection to status offences and subsequent interaction with criminal justice systems. Street children face penal punishment for behaviour that they are forced to adopt to survive. For example, begging and prostitution are ways in which street children earn money to survive and yet in juvenile justice systems they are treated as crimes needing penal prosecution. Furthermore, it is not only actions by street children that are criminalised, but street children's transient lifestyle itself; their vagrancy and loitering is a frequent cause for arrest. For example, in Tanzania the Townships (Removal of Undesirable Persons) Ordinance 1944 legitimised such removal[2]. As such, street children are particularly likely to come into contact with a juvenile justice system in the first place, whether or not they have actually committed an offence. In fact, the majority of street children caught up in the criminal justice system are not in conflict with the law. They fall into two categories: children in perceived conflict with the law (i.e., engaging in status offences as described above) and homeless children deemed in need of care and protection. For example, in Nairobi, Kenya, during the month of November 2001, the Juvenile Court Register indicated that 85% of children passing through the court were 'charged' with being 'in need of care and protection'[3].

Police violence:

The police are a main point of contact for street children, particularly given that street children rarely have adult guardians to offer them support and guidance. However, police are also a main perpetrator of violence against street children. Many street children report constant harassment from the police, including extortion, threats, beatings, rape

[1] Case study provided by Stepping Stones Nigeria http://www.steppingstonesnigeria.org/

[2] Arusha Caucus for Children's Rights, *Police round-ups of street children in Arusha are unjust, inhumane and unconstitutional*, (2005), p.1, available here: http://www.streetchildrenresources.org/wp-content/uploads/2013/02/police-roundups-arusha1.pdf

[3] Marie Wernham, *An Outside Chance: Street Children and Juvenile Justice – An International Perspective*, CSC, (2004), pp.14-15, available here: http://www.streetchildrenresources.org/wp-content/uploads/2013/01/an-outside-chance-street-children-juvenile-justice.pdf

and even murder[4]. The criminalisation of street children induces police action to 'remove' children from public spaces, exemplifying societies' perceptions of street children as a public nuisance. Such round-ups take place across the world. Street children are forcibly picked up from the streets and taken into police custody, placed in a remand centre or dropped-off outside of the city. During this process, street children experience gross violations of their rights; the most visible being the physical violence that frequently permeates throughout the round-up process – from when the children are arrested to their incarceration or their being dropped-off outside of the city. In Papua New Guinea, one boy reported that a police officer, *'threw [him] in the car and put his foot on [his] face. He had on black boots that scratched [his] face and cut [his] mouth with [his] teeth and it bled... [the police officer] also punched [him] in the chest.'*[5] Despite such widespread abuse, police violence against street children is rarely investigated and impunity is commonplace[6].

Street children within the criminal justice system:

Once within a criminal justice system, street children experience heightened vulnerabilities to human rights abuses than other children. This is predominantly because street children have little or no adult support and very little or no recourse to legal advice and representation. Due to their lack of contact with an adult guardian and their lack of a permanent home address, street children are less likely to benefit from diversion schemes, release mechanisms such as bail and other alternatives to detention, even in countries where these options are available[7].

Recommendations:

UN human rights bodies have acknowledged street children's heightened vulnerabilities in juvenile justice systems: the UN OHCHR report 19/35 highlights one of the biggest challenges that street children face is negative perceptions[8]; and the UN Committee on the Rights of the Child's General Comment on *Children's rights in juvenile justice* acknowledges the importance of supporting vulnerable children, including street children, in juvenile justice systems[9]:

- Ensure national legislation are reviewed and recognises that children, who are in need of protection, are not considered offenders (including legislation dealing with abandonment, vagrancy, prostitution, migrant status, 'truancy' and runaways) but are dealt with under child protection mechanisms. This should also apply to emergency and/or security legislation to ensure that it is not used inappropriately to target children; for example, as threats to public order or in response to children living and/or working on the streets.[10]

- Governments should initiate public awareness campaigns to address the negative perceptions of street children. With a greater understanding of the realities of street children's lives and appreciation for the reasons why they engage in survival tactics, street children would face less criminalisation and less subjection to status offences

[4] Dr. Sarah Thomas de Benitez, *State of the World's Street Children: Violence*, CSC: London (2007), p.31, available here: http://www.streetchildrenresources.org/wp-content/uploads/2013/02/state-of-the-world-violence.pdf

[5] Human Rights Watch, *Making their own rules: Police beatings, rape, and torture of children in Papua New Guniea*, (2005), p.29, available here: http://www.streetchildrenresources.org/wp-content/uploads/2013/02/making-their-own-rules.pdf

[6] UN OHCHR report, *Protection and promotion of the rights of children working and/or living on the street,* (2012), para. 27, available here: http://www.streetchildrenresources.org/wp-content/uploads/2013/07/OHCHR-protection-promotion.pdf

[7] Marie Wernham, *An Outside Chance: Street Children and Juvenile Justice – An International Perspective,* CSC, (2004), p.37, available here: http://www.streetchildrenresources.org/wp-content/uploads/2013/01/an-outside-chance-street-children-juvenile-justice.pdf

[8] UN OHCHR report, *Protection and promotion of the rights of children working and/or living on the street,* (2012), para. 20, available here: http://www.streetchildrenresources.org/wp-content/uploads/2013/07/OHCHR-protection-promotion.pdf

[9] UN CRC General Comment No. 10, *Children's rights to juvenile justice,* (CRC/C/GC/10) (2007), available here: http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.10.pdf

[10] For more information on the UNCRC's discussion day on State Violence Against Children go to: http://www2.ohchr.org/english/bodies/crc/discussion.htm

and police violence. They would have better access to justice, unimpeded by stigmatisation and discrimination.

- As the police are a main point of interaction with street children in criminal justice systems around the world, sensitisation programmes that work with the police to dispel negative stereotypes of street children have been successful at establishing better access to justice for street children. The UN OHCHR 19/35 report indicates the positive role that police can play in street children's lives: *training police can play a crucial role in positive interventions for street-connected children aimed at rebuilding their trust and reintegration into communities.*[11]

---

*Action for Brazil's Children (ABC) Trust, Action for Children in Conflict, Action International Ministries, ALUCOP, Amazing Children Uganda, Amnesty International (Children's Human Rights Network), Amos Trust, Apprentis d'Auteuil, Azad Foundation, Badhte Kadam, Calcutta Hope, Caretakers of the Environment Tanzania (COET), CEADEF, Centre for Equity Studies, Charlotte Miller Art Project, Cheka Sana Children's Trust, CHETNA, Child Hope UK, Child to Child Trust, Children in Crisis, Children in Hunger, Children Unite, Congo Children Trust, Depaul Foundation, Dhaka Ahsania Mission UK, Edith Wilkins Street Children Foundation, Emerge Poverty Free, Focus Ireland, Frishta Children's Village, Glad's House, Happy Child, Hope for Children, Hope Foundation, International Childcare Trust, International Children's Trust, International HIV AIDS Alliance, Jubilee Action, Juconi Ecuador, Keeping Children Safe Coalition, Kidasha, Latin American Foundation for the Future (LAFF), LittleBigHelp, Mi Arca, Mkombozi Centre for Street Children, Moroccan Children's Trust, Plan International UK, Railway Children, Reach Within, Retrak, SAFIRE, S.A.L.V.E. International, Save the Children UK, SKCV Children's Trust, SOS Children's Villages, SOWED, Stepping Stones Nigeria, Street Action, Street Child Africa, Street Child, Street Child United, StreetInvest, Street Kids Direct, Street Kids International, Streets Ahead Rwanda, StopAids, Students Supporting Street Kids, Sudanese Association for Humanitarian Aid (South Sudan), The Hummingbird Trust, Toybox, ViaNiños UK, Walou, War Child UK NGO(s) without consultative status, also share the views expressed in this statement.

---

[11] UN OHCHR report, *Protection and promotion of the rights of children working and/or living on the street,* (2012), p.33, available here: http://www.streetchildrenresources.org/wp-content/uploads/2013/07/OHCHR-protection-promotion.pdf

United Nations A/HRC/25/NGO/164

General Assembly

Distr.: General
4 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11691
1411691

Please recycle

Australia's Refugee Policy

Society for Threatened Peoples is deeply concerned about Australia's policy towards refugees. Though ninety percent of Australia's asylum seekers are found to be genuine refugees, the country tries to reduce boat arrivals through a new policy of "Operation Sovereign Borders" policy. Of the over 6,000 people in such immigration detention facilities offshore and in Australia, 345 have been detained between and one and two years. 900 Children are among the detained.

Experts have warned about the long-lasting health effects of a prolonged detention. Many of the asylum-seekers have fled traumatizing situations such as war and persecution. Their trauma is only made worse by a prolonged detention.

The United Nations High Commissioner for Refugees has criticized the conditions in which people were living after visits to Nauru and Manus Island detention centers.

Society for Threatened Peoples Society for Threatened Peoples therefore calls on the Human Rights Council to call on the Government of Australia to:

- Acknowledge the criticism by the UN High Commissioner for Refugees and end its policy of a prolonged detention of asylum-seekers.

United Nations A/HRC/25/NGO/165

General Assembly

Distr.. General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Joint written statement* submitted by the Union of Arab Jurists, International Organization for the Elimination of All Forms of Racial Discrimination, Women's International League for Peace and Freedom, the General Arab Women Federation, Indian Movement "Tupaj Amaru", International Volunteerism Organization for Women, Education and Development - VIDES, Arab Lawyers Union, Arab Organization for Human Rights, Nord-Sud XXI - North-South XXI, Organisation Mondiale des associations pour l'éducation prénatale, Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale - OCAPROCE Internationale, United Towns Agency for North-South Cooperation, non-governmental organizations in special consultative status, Indian Council of South America (CISA), International Educational Development, Inc., International Human Rights Association of American Minorities (IHRAAM), World Peace Council, non-governmental organizations on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11782
1411782

Please recycle

Human rights violations under anti-terrorism measures in Iraq

Although terrorism in itself is a serious challenge to any society and should be dealt with proactively, but using countering terrorism measures as justification for human rights violations has been sadly proven at the example of Iraq.

Since the US-invasion in 2003 ethnic tension and sectarianism have become a major element in Iraqi politics, a polarization the country had never known before[1]. Inside a systematically dismantled judicial system arbitrary arrest, denial of due process, torture and mistreatment have become the norm rather than the exception and execution rates have risen to record heights. Military forces target civilians in mass campaigns of arbitrary arrests, torture and abuse in prisons is widespread and mass executions occur on a regular scale.

The already tensed situation escalated at the turn of the year 2013/2014 with a military operation undertaken by the Iraqi government under the pretext of combating al-Qaeda in the province of al-Anbar, resulting in a humanitarian disaster. According to UN figures in February 2014, more than 300,000 people have been forcibly displaced[2]. The full casualty numbers from these last four weeks are not known, though on 30 January the UN Assistance Mission for Iraq (UNAMI) reported that in the preceding three weeks, hospitals in Fallujah and Ramadi had reported 126 deaths and 666 injuries[3].

Implemented sectarianism

The terrible escalation of violence in Iraq can only be understood against the background of the profound destabilization of the country after the US-invasion and occupation in 2003, which found its continuation in the sectarian policy of the Iraqi government. Sectarianism is a form of discrimination which conquers by fuelling hatred between groups. It was deliberately implemented under occupation in order to weaken the country and create a divide.

Iraq thus had its infrastructure and institutions completely dismantled and rebuilt on political and sectarian lines. The former diverse army that had included all ethnic and religious groups was dissolved in favor of a militia-based structure[4]. The discriminate de-Ba'athification process and the entrenching of sectarian politics then created the possibility for Iran to expand its influence.[5] According to the former United Nations humanitarian coordinator in Iraq Denis Halliday, the sectarian divisions created in Iraq under occupation thus had the tragic result that the strife between religious interests in Iraq became "dangerous and life-threatening calamitous" to the entire region[6].

The responsibility for the deterioration of the situation is also on the shoulders of the Iraqi government. Prior to his meeting with US President Barack Obama on 1 November 2013 a group of several key US senators wrote candidly to President Obama and accused the Iraqi PM blame of being responsible for the sharp increase in sectarian violence in

---

[1] See: *Iraq and the Betrayal of a People* – Impunity Forever? Dr. Hans-C. Graf Sponeck, at: Iraq, the Forgotten People, GICJ/2013.

[2] - More hardship, displacement as fighting continues in Iraq's Anbar province – UN
http://www.un.org/apps/news/story.asp?NewsID=47117&Cr=iraq&Cr1=#.Uv0F6liYaUk

[3] Old fault lines, new flashpoints in Iraq's Anbar, Louise Redvers, 9 February 2014
http://www.uruknet.de/?p=m104766&hd=&size=1&l=e

[4] Iraq's current military and security forces are made of former Chalabi-led Iraq National Congress militiamen, Iran-based Badr militia, Mahdi Army militia and other sectarian based militias.
Iraq's real problem: A US occupation legacy of sectarian politics, by Mohammad Alomari
http://www.juancole.com/2014/01/occupation-sectarian-politics.html

[5] The National, January 25, 2014: Iraq's sectarian war threatens the Middle East.
http://www.thenational.ae/thenationalconversation/editorial/iraqs-sectarian-war-threatens-the-middle-east

[6] Global Research: US Occupation of Iraq is the Cause of Sectarian Strife and Al Qaeda Attacks
http://www.globalresearch.ca/us-occupation-of-iraq-is-the-cause-of-sectarian-strife-and-al-qaeda-attacks/5363956

Iraq:[7] "Unfortunately, al-Maliki's mismanagement of Iraqi politics is contributing to the recent surge of violence", they stated. By too often pursuing a sectarian and authoritarian agenda, they further explained, that the Prime Minister and his allies are isolating those with a democratic, inclusive, and pluralistic vision for their country.[8] The US senators urged Barack Obama to make clear to the Iraqi PM that "the extent of Iran's malign influence in the Iraqi government is a serious problem in bilateral relationship[9]".

Background of protest in al-Anbar

Since December 2012, many peaceful protests have been organized throughout Iraq against the sectarian policy and continuing human rights violations committed by the Iraqi government. Instead of negotiating the legitimate demands of the protesters, the government conducted a brutal crackdown on the protests, the brutality increasing gradually with time[10]. Mass campaigns of arbitrary arrests became the rule rather than the exception, execution rates rose to record levels, next to an alarmingly increasing number of target killings of opposition leaders. Very soon it became clear, that the proclaimed "fight against terrorism" was mainly aimed against political opponents.

In order to have an official justification to act against the uprisings the Iraqi government thus declared protest camps as infiltrated by terrorists even if such claims never proved to be true.

Escalation in the province of al-Anbar

On 22nd of December 2013, army troops launched an operation in the desert of Anbar, where some Al-Qaeda camps are said to be located in the desert[11].

On the 27 of December, government forces surrounded al-Ramadi. According to the Iraqi government 36 al-Qaeda members were hiding among the protestors inside the city, a claim that was totally rejected by the demonstrators, who offered that government troops may come and search. Nevertheless the situation escalated on 28 December 2013, when the Iraqi PM ordered the arrest of MP and Chair of the Iraqi Parliament's Economics committee Dr Ahmad Al-Alwani[12], During the assault the MP's brother and his wife were killed, next to five others of his staff. Two days later, the protest camp at Ramadi was cleared, although the demonstrators had offered to end their protests in exchange for Dr

---

[7] Al-Maliki under fire for stoking sectarian rift
http://www.arabnews.com/news/471621

[8] CNN news: Obama, al-Maliki to address Iraq's violence spike at White House meeting
http://edition.cnn.com/2013/11/01/politics/obama-al-maliki-meeting/

[9] "We urge you to make clear to Prime Minister Maliki that the extent of Iran's malign influence in the Iraqi government is a serious problem in our bilateral relationship, especially for the Congress. Published reports demonstrate that the Iranian regime uses Iraqi airspace to transit military assistance into Syria to support Assad and his forces. Furthermore, attacks against the residents of Camp Ashraf in Iraq are reprehensible, especially because the Iraqi government pledged to protect these people. Prime Minister Maliki must understand that actions such as these need to stop. Not only do they make it difficult for Iraq's friends in the United States to build public support, especially in the Congress, to enhance our strategic partnership, but they also undermine Iraq's standing as a responsible member of the international community."

[10] Government War Crimes in Anbar Province: Fallujah as Example, by: Conservation Center of Environmental & Reserves in Fallujah (CCERF), Government War Crimes in Anbar Province, Fallujah as Example. February 2014
http://www.brussellstribunal.org/article_view.asp?id=1402#.UvYjRvl5N8E

[11] During the raid on a supposed al-Qaeda den about 420 km west of al-Ramadi the commander of the 7th division of the Iraqi Army and 15 other were killed. General al-Karawi had been the commander of the Brigade that stormed the protest square in Hawija on April 2013, leaving at least 200 protesters dead and wounded. Now the Iraqi government publicly vowed against the protesters, claiming that they were not just a place for recruiting terrorists, but for sheltering them too: See, Arab Center for Research and Policy studies: Maliki's Policies: The Quest for Salvation at Iraq's Expense
http://english.dohainstitute.org/release/05adf2f2-29bc-4b67-a115-b37a0476b365

[12] - Also considered by many as a leading member of the protest movement and one of the key critics of the Iranian meddling in Iraq.

Ahmad Al-Alwani's release. When no terrorists were found the Iraqi government casually suggested that the terrorists had probably "escaped".

In the wake of January 1, 2014 the 600.000 residents of Fallujah, where protests had regularly taken place, found themselves encircled by government forces. Residential areas came under attack with mortar fire and gunfire. This time it was claimed that Al Qaeda and ISIL had taken over the city. Indeed some fighters wearing such signs were seen, yet these people encountered strong resistance from the residents of Fallujah, who wondered how these infiltrators could enter and leave the city in modern army vehicles despite the siege by the army.

Several times the Iraqi PM came out on TV inciting his followers with sectarian language to support him at all means in his fight against the inhabitants of the al-Anbar province describing them as "terrorists". In view of the discriminatory attacks by government forces and their well-known brutality the residents then decided to defend themselves. It is therefore important to understand that those residents who are presented as terrorists are defending themselves out of fear against Maliki's forces and that they are ordinary citizens, in no way affiliated to any terrorist group.

Military support

The Iraqi PM's official portrayal of terrorists brought him the immediate support from the USA as well as from Iran and Russia. On 23rd January Iraq requested five hundred Hellfires, costing $82 million[13]. (Such spending is a travesty in a country where electricity, clean water, education and health services have all but collapsed.) End January 2014 an American cargo jet loaded with weapons including 2,400 rockets to arm Iraqi attack helicopters arrived in Baghdad. A contract was agreed to sell a further twenty four AH-64E attack helicopters. This comes on top of a delivery of a first shipment in November 2013 of highly advanced Mi-35 attack helicopters as part of a $4.3 Billion arms purchase from Russia and seventy five Hellfire missiles rushed to Baghdad in mid-December 2013. [14]

Supporters of the Iraqi government overheard warnings by the senior EU lawmaker Struan Stevenson, a member of the European parliament who chairs the European Parliament's Delegation for Relations with Iraq, who in January 2014 warned that "Iraq is plummeting rapidly towards civil war and genocide"[15]. He stated that the onslaught against supposed Al Qaeda terrorists in 6 Iraqi Provinces is no more than a cover for the annihilation of those parties opposed to the increasingly sectarian policies of the Iraqi Prime Minister. Stevenson's further warned that claims by the Iraqi PM were "utter nonsense". Still, he had convinced his allies that "he is fighting a war on terror and they are pouring in rockets, drones and other military hardware" which he is "using to bomb and kill civilian targets"[16].

Ongoing attacks against civilians

At the writing of this report in February 2014 the people in the province of al-Anbar are still under attack. The indiscriminate violence by government forces has turned into lynching and terror which resulted in the death of over hundred civilians and the displacement of more than 300.000[17].

Hospitals and schools have been damaged due to the heavy shelling and many families have been displaced several times because of new attacks in their place of refuge[18]. The brutality is totally out of proportion and in contravention to Geneva Conventions[19].

---

[13] Small change compared to the $14 Billion in weapons provided by America since 2005

[14] *Iraq: 935 Lies, A Tyrant and Weapons of Mass Destruction*
Felicity Arbuthnot, 02-02-2014, http://www.brusselstribunal.org/article_view.asp?id=1389#.UvT4yfl5N8F

[15] http://www.struanstevenson.com/media/news-release/genocide_of_iraqs_sunni_population_likely_warns_scots_mep/

[16] http://www.struanstevenson.com/media/news-release/senior_euro_mp_attacks_genocidal_campaign_of_iraqi_prime_minister_nouri_al-/

[17] Old fault lines, new flashpoints in Iraq's Anbar, Louise Redvers, 9 February 2014
http://www.uruknet.de/?p=m104766&hd=&size=1&l=e

(COIN), Code Pink, the Iraqi Association for Human Rights (IAHR), Al-Basa'er Media Association, Consumers for Peace.org, Dhafir Trial.org, DC Anti-War Network.org, Democracy Action, Democracy for America Meetup (Birmingham, AL), Olympia Citizens' Movement to Impeach Bush/Cheney (WA), One Million Reasons, Operation Cease Fire, Operation Impeachment, Orange County Grassroots (CA), Out of Iraq, Out of Iraq Bloggers Caucus, Patrick Henry Democratic Club, Patriotic Pulse, Patriots for Gore, Peace Action, Peace Action Wisconsin, Peace and Accountability, Peace Drum, Peace Majority, Peace Movement Aotearoa (New Zealand), Peace Reso.org, Peninsula Peace and Justice Center (Palo Alto, CA), People's Campaign for the Constitution, People Powered Impeachment, People's Email Network, People's Glorious Five Year Plan, Picnic to Impeach, Pixel4Peace.org, Playing in Traffic, PledgeToImpeach.org, Political Cooperative, Politics and Art, Progressive Action Alliance, Progressive Action Center, Progressive Avenues, Progressive Democrats of America, Progressive Democrats of Hawaii Project Filibuster, Project for the OLD American Century, Refusing to Kill.org, Rescue Our Democracy, Sacramento for Democracy (CA), St Pete for Peace (FL), Sampsonia Way, San Diego for Democracy, School of the Americas Watch, Sheehan for Congress, South Florida Impeachment Coalition, South Mountain Peace Action (Maplewood & South Orange, NJ), Springs Action Alliance (CO), Stop the War Coalition (UK), Students for Impeachment, Students Towards a New Direction (STAND), Summit County Progressive Democrats (OH), The Known UnKnowns, The Politically Incorrect Cabaret, The Rational Response Squad, Think Blue Dems, Time for Accountability, Toronto Coalition to Stop the War (Canada), Torture Abolition and Survivors Support Coalition International, True Blue Liberal.org, Trumansburg Impeachment (NY), Truth Empowered, Truthtelling Project, UC Nuclear, Underground Action Alliance, Unitarian Universalist Peace and Justice Group (Nantucket, MA), United Blue USA, United for Veterans (Wayne, MI), United Progressives, Upbeat Defiance, US Peace Memorial, US Tour of Duty: Iraq Veterans and Military Families Demand the Truth, Velvet Revolution, Vet Gulf March, Veteran Intelligence Professionals for Sanity, Veterans for Peace, Chapter 27, Virginia Grassroots Coalition, Voters for Peace, We the People for Peace, We the People Network, We the People Now, We The People United Bangladesh.org, Peace Surge, Peace and Justice Action League of Spokane (WA), Stop the War (UK), U.S. Peace Council, World Can't Wait.org, World Prout Assembly, Komite Internazionalista- Basque, Asociación Paz, Igualdad y Solidaridad Internacional, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, Málaga, Spain, Stop Fascism Action Network, The Asian Jurists Centre, Association of Human Rights Defenders in Iraq (AHRDI), The African Center for Human Rights (ACHR), Veterans for Peace, Your Declaration of Independence.org , Arab Lawyers Network-UK, Conservative Centre of Environmental & Reserves in Fallujah (CCERF), Willie Nelson Peace Research Institute, Studies Centre for Human Rights and Democracy, The Iraqi Centre for Human Rights, Association internationale des droits de l'homme, NGO(s) without consultative status, also share the views expressed in this statement.

United Nations A/HRC/25/NGO/166

General Assembly

Distr.: General
4 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 8
Follow-up and implementation of the Vienna Declaration and Programme of Action

Written statement* submitted by Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11693

1411693

Please recycle

The Situation of Women in the I.R. of Iran

The Islamic Republic of Iran has insistently denied the existence of discrimination against women in law.[1] Nevertheless, the parliament and the government have consistently presented numerous bills and regulations limiting women, among which are: "Gender segregation at some universities and negative gender quota", "The veil & chastity" regulation, " Family bill", "Comprehensive population growth strategy and the family development bill" and many more. The macro-strategy of the Islamic Republic of Iran is driving women into the margins of employment and social arena.

Comprehensive Population Growth strategy and the Family Development

The aim of this strategy is allegedly: "Increasing the quality and quantity of population in the future". Nevertheless, some of the articles in the Bill have devastating effects on the lives of women.

Article 9 of this bill regarding the employment in the government and non-government institutions gives preference to: married men with children, married men without children and women with children. The employment of single women is possible in the absence of the above mentioned category of applicants.

Depriving women of equal access to employment would drive them to unregulated jobs with low income. Since 2012, women had been denied access to free birth control[2], the consequences of which are the unwanted children and the rise in illegal abortions which will put women's health at risk.

Initiating such strategies stems from the fact that women are viewed as instruments of population increase and therefore, the policymakers limit and deprive them of equal access to employment, independent income and education. These strategies deny women access to free birth control under the pretext of population decline. They also deny women equal access to divorce under the pretext of strengthening the family institution.

Denying women's rights in employment

According to Article 1117 of the Civil Code "Any man can prevent his wife to seek employment in jobs unsuitable for family honour or status." No clear definition is given to unsuitable job for the family and it is to the judge to decide on the matter.

Limited or unequal access to employment opportunities is manifested in unemployment or limited employment and a major contributor to women's poverty. Ratification of discriminatory laws has led to unrealistic views of women in the society.

As mentioned before the macro-policy of driving women away from social arena is clearly defined in article 9 of the newly presented bill. The Sharq newspaper reported that in the past 8 years and during the 9th and 10th governments, women's unemployment rate has doubled.[3]

Gender discrimination in Education This is one the major challenges women face at present. Apart from gender segregation and single sex education in some universities, in 2012 women were denied access to 77 fields in 36

[1] A/HRC/14/12/Add.1:
http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/140/58/PDF/G1014058.pdf?OpenElement
http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/IR/A_HRC_WG6_7_IRN_1_E.pdf
[2] http://khabaronline.ir/detail/240188/society/health
[3] http://persian-heritage.com/?p=33527

universities. Apart from the fields of engineering women were denied access to carpet-weaving, English language, history and many more in some universities.

Denying women enter the university for "improper Islamic Dress Code" is another strategy to discriminate women.

During 2011-2012, Iran University of Science and Technology suspended a number of students for one academic year for "Disregard of the Islamic dress code" and disobeying the university rules. The expulsion was carried out without prior notice or consultation or explanation.[4]

More and more universities apply segregation to control female students. For example since September 2011 segregation had been carried out in 647 sessions at the Open University of Varamin.

Control over female students has reached to a point where the president of Borojerd Open University declared that movements of girls at their dormitories would be sent to their parents via text messages.[5]

The Veil and Chastity Strategy

Since 1979, the veil had remained in place, controlled and regulated by the state. Iranian women are not free to choose the type or colour of their clothing. Women had continuously been harassed, humiliated and even assaulted, detained or fined for "improper veiling".

Recently, at a meeting with Social Council the Interior Minister announced that: "Every executive institution is responsible to enforce the Veil and Chastity scheme. The ministry of science is to oversee the execution of this policy at the universities as is the education minister for schools. They must present their reports to the ministry of interior." [6]

Domestic violence

The law in Iran is not void of any definition of domestic violence, nor does it have any measures to prevent it or support mechanisms for the victims. On the other hand, there exist some laws which directly or indirectly encourage violence at home. For example some articles in the Islamic Penal Code encouraging violence against women are: laws relating to sexual relations outside marriage (Zina) where punishment ranges from lashing to execution or stoning; Penalty of lesbianism, honour killings, forbiddance of abortion, criminal responsibility for girls at 9 years of age, the proportion of compensation (Diyeh), discrimination against women as witness (two women equals one man), the appointment of man as head of family, permission from husband to travel abroad, polygamy, men's right to divorce, unequal inheritance, men having sole right to custody, men's right to punish the child.

The imbedded discrimination in law limits women potential power for development and empowerment give rise to violence against them.

Violence against women in the society

The implementation of bills, directives and schemes such as forced veiling and anti-women policies and programmes has narrowed the social arena for women. It has also given rise to violence against women by the authorities. Enforcing the "Veil and chastity scheme" has made the streets unsafe. The police who are meant to protect and secure the streets had become the agent of insecurity and violator of women's rights to safe streets.[7]

[4] http://news.gooya.com/politics/archives/2012/03/137044.php
[5] http://ebrat.ir/?part=news&inc=news&id=43529
[6] http://www.tabnak.ir/fa/news/358648
[7] http://www.fardanews.com/fa/news/205264

Overall, violence in the society has increased due to poverty, unemployment, inflation and insecurity. However, women have become the first victims of violence and sexual assault, gang-rapes, murders in the street and acid attacks have increased throughout Iran.

Violence against women is not addressed and dealt with as a social problem. The Islamic Penal Codes (Articles 630 and 220) regarding honour killings and numerous other laws and discriminatory policies have made women vulnerable to social and domestic violence. Local news are full of cases of wife killing, husband killing, self-burn, girls escaping home and suicide.[8]

At present as ever, women's activism to address women's issues is labelled as an act against the state and punishable by detention and imprisonment. The One Million Signature Campaign which began in 2006 to address the discriminatory laws was halted by the authorities under such label.

Women political participation

According to articles 115, 110, 91 and 157 of the Constitution, women cannot be appointed as the supreme leader or president; nor can they sit at the Assembly of Experts of the leadership, the Guardian Council, or appointed as head of judiciary and as Islamic judge. Since the establishment of the Islamic republic and during the 8 rounds of parliamentary elections, out of 2860 deputies only 54 were women. These are all against the International Covenant on Civil and Political Rights which has been ratified by Iran on 1975 as well as against VDPA and the outcome of Vienna+20.

Sexual minorities

Lesbians mostly hide their identity from family and the society. Their existence is denied (Ahmadinejad said Iran has no homosexual)[9] and they have no legal rights. According to Islamic Penal Code, sexual relation among same sex is forbidden. The punishment for for women is flogging for the first 3 times and then execution. Transsexuals are legally and socially accepted but lack of proper health care and psychological support often leads to psychological disorders.

Lesbians are regarded as sexually unhealthy and families often seek their treatment. Homosexuals frequently change sex to escape persecution and punishment. A number have left the country and mostly live in the neighbouring Turkey. It takes years for them to be granted refugee status by the UN and sent to a safe country. They face inhumane behaviour in low paid illegal jobs, humiliation and violence and rape while waiting. Transgenders are in need of urgent medication. Unable to provide the costs a number have lost their lives.[10]

Discrimination in sport

Women must wear full Islamic veil during sports performances which makes it difficult for them to manoeuvre. They are prevented to participate in certain sports. Women are also barred from stadiums during matches. Women's participation in the international games is determined through personal choice of authorities rather than certain standards.[11]

---

[8] http://www.washingtonpost.com/wp-dyn/content/article/2007/09/24/AR2007092401042.html
http://www.bbc.co.uk/persian/iran/story/2007/09/070924_bd-ahmadinejad-columbia.shtml

[9] http://www.washingtonpost.com/wp-dyn/content/article/2007/09/24/AR2007092401042.html

[10] Marjan Ahoorai died on 3rd April 2013 with 29 on lack of treatment
http://www.radiozamaneh.com/61164#.Usxq8PRDs75

[11] Neda Shahsavari who has already taken part in table tennis matches in Olympics was not allowed to travel to take part in Asian Cup.

Recommendations:

- Demand the Islamic Republic of Iran to cancel gender segregation, negative gender ratio and single sex education directives in the universities,
- Cancel the Veil and Chastity regulations, family bills and stop the Comprehensive population growth strategy bill from ratifying,
- Eradicate all discrimination and limitations in law and pave way to women's full participation in the affairs of the country including political participation in all ranks,
- Stop discrimination and violence against women by individuals or institutions especially the intelligence apparatus,
- Stop discrimination of LGBT community.

United Nations A/HRC/25/NGO/167

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Ekta Welfare Society, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11770
1411770

Please recycle

SOCIAL JUSTICE AND RIGHTS FOR INDIAN MUSLIM MINORITIES

In every country, the citizens have been conferred with Human rights and the responsibility to protect them has also been entrusted to the respective governments. India is the larges democratic country in the world. The Muslim minor community population is about 40 per cent but has been deprived of their social and economic rights. Even after 67 years of independence, they are suffering socially, economically and educationally also. The other communities like Scheduled Caste, Scheduled tribes of majority class have been progressing speedily because of Reservation, granted by the Indian Constitution, and various State sponsored Schemes through Social, Educational and financial Institutions etc. The various State and Central Govt. also, consider the Muslim Community as their Vote Bank and therefore, lingering on their demands from one election to another. When they demonstrate to raise their voice to protect their human rights, they are to face police action resulting in victimization by the state and even declared terrorist and anti national elements. Even today, many innocent young Muslims are behind the bars for an indefinite period, without any trial for no fault on their part. And so many families are in the state of starvation.

Although two Commissions viz. Sacchar Committee and Rangath mishra committee formed to suggest ways and means for upliftment of Muslim minorities but their recommendations are still awaiting any action By the Govt. the nikahnama of Muslim is not consider valid till a further registration is made by the local authorities. Registration of inter- religion marriages is refused/ delayed under one or the other pretax whereas the Hindu marriages under arya samaj and outer religious systems recognized valid low fully.

The Various communal forces like shiv sena, bajrang dal, vishwa Hindu prishad, R.s.s etc. are playing free hand to discriminate the interests of Muslim minorities and a threat to Law and order. The Muslim minority in India is still demonstrating and fighting for safeguarding of their human rights, the law is the same for all the citizens of India but implementation is different due to political and other influences.

The Following points are therefore, to be considered for upliftment of Muslim Minorities in India.

1. To implement the recommendations of Sacchar Committee and Rangnath Mishra committee to uplift the Educational, Employment and Social Status of Muslim Minorities in India. By way of granting appropriate reservation. Opening of academic and religious Schools, Colleges, Universities etc. for Muslim minorities.
2. To grant Salaries to mullahs, Moulvies, and religious teachers in Madarsa from State Funds on regular basis at par with Pujaries, and other Govt. employees.
3. Marriages Certificates granted under Muslim personal law, whether under the Muslim Community or Inter religion may be considered valid without any further registration for all the purposes.
4. The cases of innocent Muslims facing trail for over. One year in the jails be reviewed and may be release
5. sed by forming special committees .

Further measures as may be considered appropriate may be taken by the UN and Indian Govt. for the betterment of Muslim community and provide equal opportunities.

United Nations A/HRC/25/NGO/168

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 4
Human rights situations that require the Council's attention

Joint written statement* submitted by Cairo Institute for Human Rights Studies, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11796
1411796

Please recycle

Grave and ongoing violations of women's rights in the context of the conflict in Syria*

For the past three years, large-scale human rights violations and international crimes have been perpetrated in Syria, resulting in massive suffering among the civilian population. The particular ways in which these abuses have severely impacted the lives of Syrian women demand serious attention.[1] Significant challenges face efforts to document and draw attention to violations against women in Syria, and the prevailing climate of impunity facilitates the recurrence of such crimes. A lack of resources also limits efforts by Syrian civil society groups and international stakeholders to provide women affected by such abuses with adequate support.

The large-scale campaign of systematic repression carried out by governmental security forces against the peaceful protest movement in 2011 marked a major escalation of patterns of grave human rights violations in the country, including arbitrary detentions, enforced disappearances, widespread torture, and extrajudicial killings.[2] As the situation in Syria evolved into an internal armed conflict,[3] a number of other parties to the conflict also started committing serious violations of international humanitarian law.

Syrian women are not only victims of the conflict, they have increasingly become war targets and have been used as weapons of war in violation of International Humanitarian Law (IHL) and international principles in relation to protection of women in times of conflict.[4]

The number of persons killed in Syria since 2011 is estimated by the United Nations to be over 100,000[5], including more than 10,000[6] women, over 3,000 of whom are under the age of 18. Killings have mainly occurred during indiscriminate or deliberate shelling, Scud missile attacks, and due to the use of heavy artillery and snipers.

The documented violations to international humanitarian law (IHL) in Syria include the more than 450 cases documented by Syrian human rights groups in which women have been deliberately shot by government snipers; the killings of at least 1,300 women who have died in mass killings carried out in several areas of the country, notably in Houla (June 2011) and during the chemical attack on the outskirts of Damascus (August 2013); and the use of women as human shields during military operations.

Data gathered by Syrian human rights organizations between July 15, 2012 and January 31, 2014 highlights that civilians constituted the majority of deaths during military operations, with women making up an estimated 10% of these casualties. This points to an indiscriminate use of force by governmental forces against civilian-populated areas and evidences a policy of collective punishment, in clear violation of IHL.

Syrian women have been increasingly exposed to arbitrary detention, particularly by government security forces but also due to the increased incidence of abductions in the country. As of February 2014, it has been documented that more than 750 women are detained in prisons and detention facilities run by the Syrian authorities,[7] including a significant number of girls under the age of 18. In addition, Syrian human rights groups increasingly report abductions of women by non-state actors, generally for ransom or prisoner exchanges. Since June 2013, the armed jihadist group Islamic State of Iraq and the Levant (ISIS) has kidnapped at least 2,500 people, including a number of women.[8]

---

[1] *See* written intervention to Human Rights Council June 2013 *Grave and ongoing violations of women's rights in the context of the conflict in Syria* submitted by CIHRS and EMHRN and 11 Syrian Human Rights Groups.

[2] *See* Report of the UN independent Fact Finding Mission on Syria (August 2011).

[3] In June 2012, the ICRC stated that the situation Syria presents constitutive elements of non-international armed conflict.

[4] *See* UN security resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), and 1960 (2010).

[5] *See* UN Secretary General statement, 25 June 2013.

[6] *See* Statistics included in this document were provided by the VDC and the SNHR.

[7] As documented by the Violations Documentation Center (VDC)

[8] *See* SNHR report *Islamic State of Iraq and Levant Organization (ISIL)* February 2014

The conditions in government-run detention facilities are appalling. Physical and psychological torture is reportedly practiced routinely against female detainees, and at least 30 women have died under torture in government detention facilities. Detainees, including those in need of medical care and/or with chronic illnesses, are held in unsanitary conditions and denied appropriate medical care.

While state authorities systematically deny that women are detained in security branches, testimonies indicate otherwise. Women transferred to the "Adra" central prison in Damascus are routinely subjected to physical abuses and solitary confinement and exposed to various forms of ill treatment, including by denying them proper food, clothing, and heat and electricity. Pregnant women and women with small children have been detained by the Syrian government.

Since July 2012, the Syrian government has used exceptional anti-terrorism military courts to prosecute peaceful activists, including at least 340 women, among them a number of girls under the age of 18. It is believed that the actual number of women prosecuted before this court is much higher, but no comprehensive data is available due to the difficulties in accessing such information.

In a number of cases, arbitrary arrests and kidnappings turn into enforced disappearance. It is estimated that more than 50,000 persons have been forcibly disappeared in Syria, including at least 2,000 women. Enforced disappearances of men also severely impact the situation of their female relatives and other women in their communities. Under international law, the family members of disappeared individuals are also considered victims of the crime of enforced disappearance.[9]

In certain areas outside the control of the Syrian government, some armed groups are imposing a new social order which adversely affects the fundamental rights of women. For instance, in 2014 in the region of Raqqa ISIS imposed conservative dress codes on women and prevented them from moving freely in public unless accompanied by a male relative.[10]

The prevailing context of violence in Syria has created an environment ripe for sexual abuses against women. Some cases are reported by psychologists, field workers, and civil society activists, yet many challenges hamper documentation of gender-based violence in Syria.

Rape cases have been documented in Homs, Damascus, Hama, Latakia, Daraa, Idlib and Tartous.[11] The assaults have mainly occurred during military incursions, kidnappings, at checkpoints, and within detention facilities. In fact, fear of being subjected to sexual assault is reported by female refugees as one of the main reasons for seeking asylum outside Syria.

Syrian human rights groups consider that such practices are used to intimidate communities known for their opposition to the Syrian government. As noted by the report of the Independent International Commission of Inquiry on the Syrian Arab Republic, "Rape and other inhumane acts, as crimes against humanity, have been committed by government forces and affiliated militia."[12]

An estimated 2 million women have been internally displaced, while approximately 1.2 million women have fled Syria to seek refuge in neighboring countries.[13] These women find themselves in highly vulnerable situations, exposed to numerous abuses with limited protection and no guarantees for their fundamental rights.

---

[9] The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power *states that: "The term "victim" also includes, where appropriate, the immediate family or dependents of the direct victim (...)."* UN General Assembly, 29 November 1985

[10] *See* SNHR report *Islamic State of Iraq and Levant Organization (ISIL)* February 2014

[11] *See* EMRHN report "*Violence against women, bleeding wound in the Syrian conflict*", November 2013

[12] *See* Report of the Independent International Commission of Inquiry (COI) on Syria , June 2013 paragraph 91-95 A/HRC/23/58

[13] *See* UNHCR Syria Regional Refugee Response (accessed on 15th February, 2014).

Recommendations:

To the Syrian government:

- Abide by international human rights and humanitarian law regarding the protection of women in times of conflict, bearing in mind UN Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), and 1960 (2010), 2122 (2013).
- Grant unhindered access to the Independent International Commission of Inquiry on Syria to investigate all human rights violations and crimes committed by all parties to the conflict.

To all parties to the Syrian conflict:

- Abide by IHL, with particular attention to the protection of women.
- Immediately release all hostages and detainees and put an end to arbitrary arrests and abductions of civilians, including women and children.
- Allow international monitoring mechanisms and bodies, in particular the ICRC, unhindered access to all detention facilities.

To the Human Rights Council:

- Clearly and firmly call upon the Security Council to initiate a genuine process of accountability in Syria for perpetrators of international crimes.
- Support Syrian-led transitional justice processes, considering specific needs for rehabilitation and compensation for women.

To the international community:

- Take urgent measures to reinforce mechanisms aimed at providing women who have been exposed to serious violations, including sexual assault, with adequate social, medical, psychological and economic rehabilitation. Extensive efforts should be urgently deployed to target IDPs and refugees, notably at the Syrian border.
- Give priority to asylum cases of Syrian female victims of gender based violence.

---

* Euro Mediterranean Human Rights Network (EMHRN) Assyrian Human Rights Network (AHRN) Center for Civil Society and Democracy in Syria (CCSDS) Damascus Center for Human Rights Studies (DCHRS) Etana Press Kurdish Organization for Human Rights in Syria (DAD) Syrian Center for Human Rights (SCHR) Syrian League for Citizenship (SLC) Syrian Network for Human Rights (SNHR) Syria Justice and Accountability Center (SJAC) Syrian Organization for Human Rights - Sawasyah Violations Documentation Center in Syria (VDC) NGO(s) without consultative status, also share the views expressed in this statement.

United Nations A/HRC/25/NGO/169

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11784
1411784

Please recycle

The Environmental Situation in the I.R. Iran

The life of Iranians is at great risk because the three main elements of life are polluted: water[1], air and earth. Over the past three decades, the inefficiency of the government of the Islamic Republic of Iran as regards sustainable development along with the recent economical sanctions imposed on Iran by Europe and the US have deprived the people of healthy breathing air and healthy drinking water. Not only have the warnings of environmental supporters and experts and civil protests left no impact on the ongoing destruction but they have also led to environmental activists being threatened and arrested. Protesting against the desiccation of Urumiyeh Lake, the second largest salt lake in the world, many citizens were arrested and sent to Tabriz prison.

Air Pollution

Air pollution in Tehran and other big cities and industrial cities of the country is caused by development without environmental consideration and by non-standard production methods. Especially after the economical sanctions against Iran and the local production of petrol the air of the big cities became extremely polluted and causes the death of human beings.

According to Rahmatollah Hafezi, the head of the health commission of the city of Tehran speaking in October 2013, at least 277 air-pollution related deaths are reported each month.
In recent years, the existence of small particles in the air of many places in Iran has also put the population's health at risk.

Air pollution results from the existence of fine particles, caused partly by the local mismanagement of the government of the Islamic Republic of Iran and partly by the problems of Iran's neighbouring countries. The desiccation of a large part of the Hur al-Azim marshes is among the major factors contributing to the emergence of haze in the South and South-West of Iran. For the second time, the city of Ahvaz has this year been elected as the most polluted city in the world. Pollution has reached such an extent that it has led to protests of regional representatives.
In November 2013, the MP of Andimeshk referred in the Iranian parliament to the fact that the hazes are polluted with traces of uranium and chemical substances left over from the US-Iraq and Iran-Iraq war. At a conference on environmental improvement, the head of the Environmental University confirmed that uranium traces may be present in samples from the provinces.

Another instance is the carcinogenic pollution caused by the lead industry of Zanjan, which, according to the experts of the Iran Cancer website, has caused a rise in cases of lung cancer around the geographical area of this factory.
According to the official website of the Educational Base of Medicine and Food, quoting a WHO senior consultant, arsenic, mercury, lead and cadmium have been detected in mother's milk that was exposed to polluted air in Isfahan.

Animals Unique to Iran on the Brink of Extinction

The Persian leopard (*Panthera pardus saxicolor*) is one of the largest subspecies of the leopard, native to Western Asia. According to Shahram Amiri Sharifi, the head of Iran's Wildlife Observation Agency, "the leopard is a protected species but no precise statistics exist regarding their numbers and it seems that the species is rapidly becoming extinct. Numbers varying between 300 to 1000 collars have been reported in Iran." Still, according to the executive director of that Iranian Cheetah Society less than 70 cheetahs exist in Iran, whose main agents of extinction are human beings.
According to official statistics of the authorities, over the past six years 46 leopards perished in Iran, however, the head of Iran's Wildlife Observation Agency has said that the actual mortality rate is much higher.[2]
The Persian fallow deer (*Dama mesopotamica*) is a mammal from the deer family. According to scientific studies, around 45 Persian fallow deer died around the Karkheh river because a kind of fly had laid its eggs on their bodies and

[1] A/HRC/24/NGO/14 : http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/164/87/PDF/G1316487.pdf
http://www.irna.ir/fa/News/80982350/

only another 25 deer have been observed. The environmental authorities of Khuzestan province have tried to prevent their death by catching the deer alive and administering medical treatment to the sick animals. Nevertheless, a large number of deer have died.

The hunting of regular wild animals without license and some other cases are punishable by a cash fine of 100000 to 1000000 Rial[3] and a prison sentence from one to six months. According to some animal protection activists in Iran, the maximum fine may be adequate punishment for such illegal poaching, however, the minimum fine is not.
Seyyed Javid Al-e Davud, the head of the Society for the Protection of Animals is critical of the Environmental Society's approach to offenders. He says that in previous cases, Environment Office officials have blamed others, saying that such things happen. But why are no observation measures or a resolute approach to offenders adopted?[4]

Execution and Death of Iranian Gamekeepers

The death penalty is legal in Iran and the number of executions increases daily, despite the endeavours of Iranian civil and political activists. Caring gamekeepers, who occasionally resort to the use of weapons both to preserve the environment and prevent irregular and unlicensed hunting and to defend themselves when faced with poachers are executed. If they do not defend themselves, they are killed by armed poachers.
From the beginning of the Islamic Revolution until now, 113 gamekeepers have been killed in wildlife reserves.[5]
The most recent instance is the confirmation of the death sentence in early 2013 for Gholamhosein Khaledi, the second gamekeeper of the Dana region. The judges who sentence gamekeepers to death believe that "the gamekeepers are not executive officers of the public prosecutor, they cannot resort to the use of weapons." By contrary, Article 32 of the Executive Code of the Environmental Protection and Improvement Act expressly sets forth that gamekeepers are, with the consent of the Defence Ministry, permitted to use weapons.

Following the Suggestion of the Environmental Ministry or Merging with the Ministry of Agriculture

In spite of this regrettable situation, rather than expanding the Environmental Office and the Forestry and Pastures Office, some officials are intent on weakening the Environmental Ministry as much as possible und to merge it with the Forestry, Pastures and Watershed Management Office.
In December 2013, 63 MPs prepared a scheme for dissolving the Environmental Ministry and merging it with the Forestry, Pastures and Watershed Management Office. If this scheme is finally passed, these institutions will function under the umbrella of the Ministry of Agriculture. Alireza Owrangi, the last head of the Forestry Office, stated during the previous government that this scheme was completely incompetent from a technical, executive and legal point of view. Khodakaram Jalali, the new head of the Forestry, Pastures and Watershed Management Office, has also pointed out that the Environmental Office has a supervisory, not an executive role, whereas the Forestry Office has an executive and judicial role. Thus, considering the different roles of these two institutions, their merger would be to the detriment of both.

Regarding its legal and institutional status, the Office for the Protection of the Environment in fact stands above the ministries, since the ministries have an executive status whereas the Environment Office has a supervisory role. For instance, the head of the Office for the Protection of the Environment is authorised to stop any construction and industrial project and any activity that he considers harmful to the environment.[6]
The lack of transparency of Iran's Environment Office and Forestry, Pastures and Watershed Management Office combined with the inefficiency of their respective officials when it comes to preventing the destruction of Iran's environment has certainly left a trace.

[3] 3.39 to 33.9 US$
[4] http://www.tabnak.ir/fa/news/372394/
[5] http://khabaronline.ir/detail/334224/society/environment
[6] http://www.iranhrc.org/?lan=fa&p=958

Environmental supporters and experts have offered the following suggestions to the relevant Iranian authorities as a way out of the environmental crisis in Iran. They also pursue them through the UN, for a sound environment is an important human right.

Recommendation:

1) International supervision regarding the indicators of sustainable development,

2) Evaluation of all construction plans for their environmental impact before they are implemented,

3) Environmental NGOs and activists should be allowed to discuss and supervise the implementation of governmental and private construction plans without being threatened with prison.

4) Regarding air pollution, measures that need to be taken include, on the one hand, the allocation of resources to implement the findings of scientific studies on fine particles and dust storms and, on the other hand, educational work to raise people's environmental awareness by way of mass media while providing the population with adequate safety measures and medical facilities.

5) The develop nent, advancement and optimisation of meteorological systems *in situ* and satellites to simulate dust progress and issue warnings. Also, the prediction of the effects of environmental phenomena related to dust storms and the elaboration of strategies to deal with these storms through collaboration with research centres and international institutions.

United Nations A/HRC/25/NGO/170

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 9
Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Joint written statement* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Arab Lawyers Union, Arab Organization for Human Rights, General Arab Women Federation, Indian Movement "Tupaj Amaru", International Volunteerism Organization for Women, Education and Development - VIDES, Nord-Sud XXI - North-South XXI, Organisation Mondiale des associations pour l'éducation prénatale, Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale - OCAPROCE Internationale, Union of Arab Jurists, United Towns Agency for North-South Cooperation, Women's International League for Peace and Freedom, non-governmental organizations in special consultative status, Indian Council of South America (CISA), International Educational Development, Inc., International Human Rights Association of American Minorities (IHRAAM), World Peace Council, non-governmental organizations on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11786
1411786

Please recycle

Racial Discrimination and Xenophobia – The Case in Europe

Legal Context

Racial discrimination and xenophobia constitute a negation of the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights. The principles of equality and non-discrimination are reaffirmed in the Declaration of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. The declaration recognises that victims can suffer multiple or aggravated forms of discrimination based on grounds such as sex, language, religion, political or other opinion, social origin, property, birth or other status. Member States note also that xenophobia and related intolerance may be aggravated by inequitable distribution of wealth, marginalization and social exclusion. Article 14 of the European Convention on Human Rights (ECHR) also guarantees the prohibition on discrimination[1] [2].

Labour Market Discrimination

Under article 106 of the Programme of Action of the *World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance*, Member States should take Action-oriented policies to ensure non-discrimination, in particular as regards access to employment[3] [4].

Disturbing rates of discrimination at work with significant implications are reported in Europe. In particular, racial and ethnic discrimination at work limit job opportunities and lowers motivation for school and career success among minority youths[5]. Thus, discrimination is problematic from a human capital perspective also, and not only from a moral point of view[6].

According to a study on ethnic differences in occupational attainment in the United Kingdom (2012), wages and unemployment cannot fully be explained by differences in human capital or demographic characteristics. The remaining

---

1 The ECHR guarantees equal treatment in the enjoyment of the rights set down in the Convention. Under this article 14, the enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. This prohibition of discrimination is specified by protocol 12 to the ECHR that expands the scope of the prohibition of discrimination by guaranteeing equal treatment in the enjoyment of any right (including rights under national law)

2 *Handbook on European non discrimination law*, (2010) European Union Agency for Fundamental Rights, Council of Europe. http://www.echr.coe.int/Documents/Handbook_non_discri_law_ENG_01.pdf

3 Under this article, the Programme of Action urges States to avoid the negative effects of discriminatory practices, racism and xenophobia in employment and occupation by promoting the application and observance of international instruments and norms on workers' rights

4 Programme of action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. http://www.un.org/en/durbanreview2009/pdf/DDPA_full_text.pdf

5 Constantine, M.G., Erikson, C.D., Banks, R.W. and Timberlake, T.L. (1998), "Challenges to the career development of urban racial and ethnic minority youth: implications for vocational intervention", Journal of Multicultural Counselling and Development, Vol. 26 No. 2, pp. 83-95.

6 Forstenlechner, I., & Al-Waqfi, M. a. (2010). "A job interview for Mo, but none for Mohammed": Religious discrimination against immigrants in Austria and Germany. *Personnel Review*, *39*(6), 767–784.

unexplained component of such differences reflects discrimination, and has been termed the "ethnic penalty"[7]. This penalty persists among several ethnic minority groups in the United Kingdom[8] [9].

Moreover, the rate of over-qualification suggests that a disproportionate number of minority ethnic men and women are employed in jobs which do not require their level of educational attainment both in the UK[10] and internationally[11].

For instance, Muslims are disadvantaged by treatment in the European labour market; they experience unemployment levels that are four to five times the national average in France and Great Britain, and double the national average in Germany. According to a study on Muslim workers in Austria and Germany (2010), fifteen percent of respondents[12], mentioned non-accreditation of their home country education as a major obstacle to find work. Second, 12.5 percent of respondents reported discrimination based on their colour of skin resulting in them being assigned menial tasks compared to "white" European colleagues. Third, some respondents reported higher performance pressures at work compared to non-minority colleagues[13].

This study also found employment to be the major point identified as relevant to discrimination on a religious basis. Several interviewees reported experiments, like shortening "Mohammed" to "Mo" on applications and suddenly getting a chance to go to an interview, or taking off their headscarves prior to entering an organisation's building for an interview[14] [15].

Second-Generation Immigrants in the Labour Market

Article 17 of the Programme of Action of the World Conference Against Discrimination notes the importance of paying special attention to new manifestations of racism, racial discrimination, xenophobia and related intolerance to which youth might be exposed.

Second-generation immigrants, although having an education in the host country, and even if they become nationals, experience discrimination in accessing jobs in Europe. This discrimination is related to attitudes and stereotypes attached to their parents' generation. For instance, a study on that issue shows that descendants of Pakistani immigrants

---

[7] Rafferty, a. (2012). Ethnic penalties in graduate level over-education, unemployment and wages: evidence from Britain. *Work, Employment & Society*, *26*(6), 987–1006.

[8] Rafferty, a. (2012). Ibidem.

[9] While past research suggests education for minorities allows better employment or higher occupational status. (Cf. Dale A, Shaheen V, Kalra V and Fieldhouse E (2002) Labour market prospects for Pakistani and Bangladeshi women. *Work, Employment and Society* 16(1): 942–68; Modood T (2004) Capitals, ethnic identity and educational qualifications. *Cultural Trends* 13(2): 87–105; Platt L (2007) *Poverty and Ethnicity in the UK*. Bristol: Policy Press.)

[10] Lindley J (2009) The over-education of UK immigrants and minority ethnic groups: evidence from the labour force survey. *Economics of Education Review* 28(1): 80–89.

[11] Chiswick BR and Miller PW (2010) Educational mismatch. In: Chiswick B (ed.) *High-Skilled Immigration in a Global Labor Market*. Washington, DC: A.E.I Press, 117–54.

[12] Among them two medical doctors, an oil engineer and a lawyer.

[13] Forstenlechner, I., & Al-Waqfi, M. a. (2010). "A job interview for Mo, but none for Mohammed": Religious discrimination against immigrants in Austria and Germany. *Personnel Review*, *39*(6), 767–784.

[14] Forstenlechner, I., & Al-Waqfi, M. a. (2010). Ibidem

[15] This study highlights other forms of discrimination at work against individuals based on their religious affiliation. For instance the study reports that case: "During a time when everybody had the flu, I was on sick leave for a few days and immediately rumours were flying around that this was due to a religious holiday, which actually took place two weeks after. Upon return to work, my supervisor called me to his office and told me that pretending to be sick in order to celebrate my God was not acceptable and he wouldn't accept the doctor's certificate or my calendar showing the real dates as an argument."

are facing discrimination in the Norwegian labour market. Although these young people are close to the majority in school performance and are enrolled in higher education, and some groups even outperform their majority peers[16].

Findings in other European countries lead to similar conclusions. Moreover, some employers in countries including Belgium, France, the Netherlands and Switzerland have been introducing internal regulations or have implemented informal policies prohibiting the wearing of religious and cultural symbols and dress[17].

In Austria and Germany, Muslim immigrants and the second generation of immigrants are subjected to various types of discrimination related to either religious practice in the workplace or religious affiliation. Findings demonstrate negative stereotyping of Muslims that leads to discriminatory behaviours including denied equality in access to jobs, unfair treatment by employers, and exerting more stringent standards in evaluating performance of Muslim employees. In consequence, the perceived discrimination tends to drive Muslim immigrants to identify more with their fellow Muslims, preventing integration into society[18].

Political Environment and Xenophobia

The Programme of Action of the World Conference Against Discrimination, underlines the key role that politicians and political parties can play in combating racism, racial discrimination, xenophobia and related intolerance and encourages political parties to take concrete steps to promote equality, solidarity and non-discrimination in society, inter alia by developing voluntary codes of conduct which include internal disciplinary measures for violations thereof.

Instead of combating xenophobia, the political environment in Europe, particularly far right political parties and the mass media manipulate Anti-Muslims sentiment. These parties spread a stereotyped rhetoric against immigrants and Muslims. A case in point: Marine Le Pen of France's National Front, placed third in presidential elections[19]. Facing this rising power of the far right parties in Europe, the President of the European Commission, José Manuel Barroso in 2013 warned that *"We should not forget that in Europe, not so many decades ago, we had very, very worrying developments of xenophobia and racism and intolerance. So I think everybody that has European principles should be worried about some of these movements."*[20]. Reuters polls suggest that right-wing parties with strong positions on immigration do well in several countries, including Britain, France and Finland.

Alarming Rise in Islamophobia

The existence of Islamophobia in Europe has become an established fact and is formally identified by the European Union. A European Union report concludes that, Islamophobia, discrimination, and socio-economic marginalisation have a primary role in generating disaffection and alienation[21]. Muslims in Europe are facing growing discrimination

[16] Midtbøen, A. H. (2013). The Invisible Second Generation? Statistical Discrimination and Immigrant Stereotypes in Employment Processes in Norway. *Journal of Ethnic and Migration Studies*, (February 2014), 1–19.

[17] http://www.amnesty.org/fr/library/asset/EUR01/001/2012/en/85bd6054-5273-4765-9385-59e58078678e/eur010012012en.pdf

[18] Forstenlechner, I., & Al-Waqfi, M. a. (2010). "A job interview for Mo, but none for Mohammed": Religious discrimination against immigrants in Austria and Germany. *Personnel Review*, *39*(6), 767–784.

[19] Muslims discriminated against for demonstrating their faith http://www.amnesty.org/en/news/muslims-discriminated-against-demonstrating-their-faith-2012-04-23

[20] Reuters : Nationalism and xenophobia on rise ahead of European elections http://www.reuters.com/article/2013/10/30/us-eu-parliament-elections-idUSBRE99T0YZ20131030

[21] Muslims in the European union : Discrimination and Islamopobia, (2006) European Monitoring Centre on Racism and Xenophobia, http://fra.europa.eu/sites/default/files/fra_uploads/156-Manifestations_EN.pdf

for their religious beliefs, not only by ordinary Europeans but also by governments and politicians[22]. In particular, Muslim women, who can be discriminated against in the cases of access to employment, at work, or to go to school simply because they wear specific forms of dress[23] [24].

A report released by Amnesty International focuses on Belgium, the Netherlands, Spain Switzerland, and France, as having the highest discriminations against Muslims in Europe[25]. For instance, in Switzerland, the ban on constructing new minarets in 2009[26], and in Britain, a study shows relatively widespread opposition toward the building and development of mosques[27].
In France, the number of anti-Muslims acts committed in 2013 identified by the National observatory against Islamophobia, reported 226 anti-Muslims acts registered by the police services. It represents an increasing rate of 11.3 percent compared to the rate in 2012[28].

Roma

Roma people in Europe are deprived from basic human standards of life. They are often denied access to jobs and quality health care. They are victims of racial violence and are often left unprotected by the police and without access to justice.

Moreover, in many cases, Roma are denied access to an adequate housing. In 2011, about 45 percent of the Roma lived in households that lacked at least one of the basic housing amenities[29] [30]. In 2013, for instance, more than 4,000 Roma lived in authorized camps in Rome (Italy) and have been systematically discriminated against, including when applying for social housing[31].

When it comes to the treatment of the Roma, European governments are not just failing to respect international human rights standards, but also to enforce anti-discrimination European law[32]. The European Union Agency for Human Rights (FRA) reports in 2009 between 66 percent and 92 percent of Roma, depending on the country surveyed, did not report their most recent experience of discrimination to any competent organisation[33].

---

[22] Muslims discriminated against for demonstrating their faith http://www.amnesty.org/en/news/muslims-discriminated-against-demonstrating-their-faith-2012-04-23

[23] Choice and prejudice : Discrimination against Muslims in Europe http://www.amnesty.org/fr/library/asset/EUR01/001/2012/en/85bd6054-5273-4765-9385-59e58078678e/eur010012012en.pdf

[24] Five European Countries Slammed for Discrimination Against Muslims http://www.voanews.com/content/five-european-countries-slammed-for-discrimination-against-muslims--148731215/370078.html

[25] Amnesty, Muslims discriminated against for demonstrating their faith, op.cit.

[26] http://www.swissinfo.ch/fre/politique_suisse/Le_Tessin_vote_sur_l_interdiction_de_la_burka_et_du_niqab.html?cid=36682000

[27] Allen, C. (2014). Anti-Social Networking: Findings From a Pilot Study on Opposing Dudley Mosque Using Facebook Groups as Both Site and Method for Research. *SAGE Open*, *4*(1).

[28] Comment mesure-t-on l'islamophobie http://www.lemonde.fr/societe/article/2014/01/28/la-difficile-mesure-de-l-islamophobie_4355742_3224.html

[29] Namely indoor kitchen appliances, such as a refrigerator, an indoor toilet, shower or bath and electricity

[30] FRA Brief: Data on discrimination of Roma and anti-Roma crime http://www.statewatch.org/news/2013/mar/eu-roma-fra-briefing.pdf

[31] Amnesty International Italy : Roma segregation camps http://www.amnesty.org/en/news/italy-roma-segregation-camps-blight-city-rome-2013-10-30

[32] Roma demanding equality and human rights https://www.amnesty.org/fr/node/36971

[33] The main reason given by Roma for not reporting discrimination was that nothing would happen or change by reporting their experience of discrimination.

In 2011 FRA reported that one out of three Roma aged 35 to 54 years had health problems limiting their daily activities. A significant number of Roma respondents were not covered by medical insurance or did not know if they were covered. On average, less than one of three Roma were reported to be in paid employment[34].

Recommendations to UN especially Member States of the EC at the HRC:

- Encourage all States to enforce the principles of equality and non-discrimination of the UN Charter, and to implement the principles enounced in the Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.
- Consider targeted specific plans of action toward the integration of Muslims and other minorities as Roma, especially in relation to fundamental human rights as education, housing, and employment.
- Develop and apply policies, which promote equality of opportunities and fair treatment.

---

[34] During compulsory school age, with the exception of Bulgaria, Greece and Romania, nine out of ten Roma children aged seven to 15 years were reported to be in school; Participation in education drops consequently after compulsory school: only 15 percent of young Roma adults surveyed had completed upper-secondary general or vocational education (cf. FRA Brief. Data on discrimination of Roma and anti-Roma crime http://www.statewatch.org/news/2013/mar/eu-roma-fra-briefing.pdf

United Nations A/HRC/25/NGO/171

General Assembly

Distr.: General
4 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Ecumenical Federation of Constantinopolitans, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11695
1411695

Please recycle

The 50th Anniversary of the Massive Deportation of the Members of the Greek-Orthodox Minority of Istanbul

The date of 16 March 1964 marks one of the darkest moments in the history of the Greek-Orthodox Community of Istanbul, whose legal status is "supposedly" under the protection of the international Lausanne Treaty of 1923, which incidentally is the founding convention for the recognition of Republic of Turkey. According to the Annex of this Treaty, the convention of the Exchange of Populations between Greece and Turkey, the members of the Greek-Orthodox Community of Istanbul - independent of their citizenship status - were exempted of Population Exchange. The population subject to this exception, named "Etablis", consisted of approximately of 110.000 Greeks holding citizenship of Turkey and 25.000 holding citizenship of Greece as per the official census of 1927. Half of the 25.000 Greek citizens were forced to expatriation during the period of 1932-34 after the "prohibition of 20 professions" by the Law 2007/ 1932 of the Republic of Turkey.

Despite the severe anti-Minority measures on a massive scale of the period 1923-1960 implemented by consequent governments of Turkey such as: mobilization of Minority men aged 18-45 into work battalion camps during the years 1941-42; the implementation of a capital stealth tax towards Minorities aimed at their economical destruction during 1942-44; the massive scale of pogrom in Istanbul on the night of 6-7/9/1955 against the Community members and institutions, the population of the Greek-Orthodox Community remained approximately 100.000 the same until mid-1960's. On 16 March 1964, the Turkish government decided to deport the 12.500 Greek citizens holding the "Etablis" status and who were under the protection of Lausanne Treaty. Under false pretences the government of Turkey at the time, linked this unjustifiable act to the unilateral abolishment of the Commercial and Transportation Agreement between Greece and Turkey signed in 1930. During the period of March-October 1964, 12.500 members of the Greek-Orthodox Community were subject to deportation with the gross scale violation of their human rights: including signing under threat a paper - not allowed to be read - stating that were spying against Turkey in favour of Greece, appropriation all of their properties (real estate or other non-fixed assets) based on a secret decree. The act of deportation of 12.500 members of the Community affected their family members which were in majority holding citizenship of Turkey. Because of this, in a 6 month period, the population of the Community decreased to 30%. The exodus of the members of the Greek-Orthodox Community was accelerated because of the numerous of anti-Minority measures planned and implemented by the Special Minorities Committee (Azinliklar Tali Komisyonu) which was established after the military takeover of 27 May 1960 in Turkey and continued to function until the year 2004. Today the 98% of the Greek-Orthodox Community is living in an expatriation condition.

During the last 3 years the Ecumenical Federation of Constantinopolitans submitted specific proposals to present government of Turkey, demanding remedy and reparation towards the Greek-Orthodox Community of Istanbul taking into account the United Nations General Assembly Resolution 60/147. The government of Turkey should be encouraged to proceed to remedy and reparation measures towards the Greek-Orthodox Community of Istanbul including the support of the repatriation of those want to return to their homeland and give support to the members of the Community to re-acquire their citizenship and properties.

United Nations A/HRC/25/NGO/172

General Assembly

Distr.: General
4 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Ecumenical Federation of Constantinopolitans, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11714
1411714

Please recycle

The consequences of non-recognition of legal status of non-Muslim minorities in the Republic of Turkey

The Lausanne Treaty of 1923 which was instrumental in the international recognition of the newly established Republic of Turkey, in its second Chapter, went to a great length to establish and guarantee the status of non-Muslim minorities in Turkey and uphold their rights. Quite predictably the essential clause in this Chapter has to do with the right of the minorities to be able to manage their religious and public welfare foundations such as churches, hospitals, schools, cemeteries etc. Consequently the administrations of these foundations must be elected by the members of the Minority community. During the period after the Lausanne Treaty in many cases successful Governments of the Republic of Turkey intervened against the clauses of Lausanne Treaty such as abolishing illegally the Minority Council (1925), prohibiting elections in the Minority foundation councils and appointing a single administrator during the years (1936-1950), prohibiting elections during (1969-2003) and abolishing the Coordination Bodies supervising the Minority foundations (1962). The worst violation occurred in 1974, after a politically motivated ruling of the Higher Cassation Court of Turkey, the Government stipulated that all real estate and legally registered properties in the name of non-Muslim Minority foundations during the period 1936-1974 should be confiscated by the State based on the spurious argument that: "although the minority members hold citizenship of Republic of Turkey, at the same time they are also foreigners". This argument can be characterized a legal coup d'état.

Furthermore the Republic of Turkey does not recognize the legal status of religious authorities of the non-Muslim Minorities, such as the case of the Ecumenical Patriarchate of the Eastern Christian Orthodox Church, which after the 4th Ecumenical Synod held in Chalcedon (today Kadikoy) in 451 A.D. obtained the above mentioned status. The non-recognition of the legal status of the Ecumenical Patriarchate leads to severe obstacles in the Patriarchate's ability to carry out its spiritual duties as a global focal point of more than 300 Million members of Orthodox-Christian people.

Despite the fact that, during the period of the years 2003-2012 the present government of Turkey took measures to ease the problems being faced by the Minority foundations, such as allowing elections and the return of some of the appropriated real estate properties, there are still serious pending problems, such as only 16% of the appropriated real estate properties were returned, and in the case of few foundations no elections are carried out, a situation which is tolerated by the government. This is despite the existence of legal measures which states that Minority foundations should renew their administration, through elections, every four years. The worst case is the largest Greek-Orthodox Foundation Balikli Hospital and Elderly People's Care Home. In Balikli Foundation the present administration has been in office from 1991, following an appointment by that time Government of the Republic of Turkey rather than holding elections. The Government appointee has denied the obligation to carry out elections the last 10 years, while the Supervisory state authorities, the General Directorate of Welfare Foundation, remains inactive towards this illegal behavior.

There has been a very disturbing development one year ago (January 2013) when the General Directorate of Welfare Foundation abolished the Election Regulation of the Minority foundations, without replacing with a new regulation or even keeping in force the old one, until the new regulation to be placed in force. This means that for an indefinite time period elections cannot be held in Minority foundations.

All the above-mentioned problems are directly linked with the lack of legal recognition of the Minorities (restricting the legal recognition only to welfare foundations) and leads to serious problems related to religious and cultural rights. In this respect the government of Turkey is asked to proceed with necessary reforms by issuing new regulations for elections at the Minority foundations taking into account the submitted proposals by the Minorities. Moreover it should allow the establishment of coordinating bodies between welfare foundations, return of real estate properties to their legal owners the Minority foundations and above all they must recognize the legal status of the Ecumenical Patriarchate and the other religious authorities of the other Minority groups.

United Nations A/HRC/25/NGO/173

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11788

1411788

Please recycle

Extreme Violence against Children through Legal System in the I.R. Iran

On 5 September 1991, the Islamic Republic of Iran signed the Convention on the Rights of the Child and on 13 July 1994, ratified it. While any human being below the age of 18 is considered a child according the Convention, no clear definition exists in Iranian law. The age of legal maturity, which also determines a person's criminal responsibility, is set at 9 lunar years for girls and 15 lunar years for boys. The age of marriage is set at 13 solar years for girls (however, the age threshold may be lowered with the permission of the father and the court) and at 15 solar years for boys. In the new Islamic Penal Code, dating from 2013, no exact definition of "child" is offered. For instance, in articles 88 and 89 (*ta'zir* crimes), the category of "children" covers a range of 9 to 15 solar years and "juveniles" of 15 to 18 solar years, irrespective of endeavours to implement security and educational measures and administer punishments that are adapted to the children's age. In article 147, on the other hand, criminal responsibility is extended to "mature individuals" (9 lunar years for girls and 15 lunar years for boys). In practice, punishment does not correspond to the differentiation of age groups set forth in the preceding articles of the law.

Death Penalty for Juvenile offenders

In Islamic penal law so-called "retaliatory punishments" exist. These punishments have a nemesis right in that the heir of the murder victim (except for the latter's spouse) is entitled to request from the court that the murderer be punished by retaliation.

Unfortunately, even though the Islamic Republic of Iran claims that no child under the age of 18 is executed in Iran, there have been cases of execution below this international legal age. In recent years, children who have committed a murder while still minors are held in prison and then executed as soon as they reach the legal age.

The way of processing the court files of child offenders is deeply flawed. Besides, practices such as extorting confessions through torture and force; punishments like lashing, violation (rape) and humiliation; long-term or life prison sentences without a chance of release; detaining children together with adult and repeat offenders; denying them access to a lawyer until after the interrogation stages are completed; and the absence of a special court dealing with the crimes of children and juveniles breach the rights of children (Article 37 of the Convention) and pave the way for numerous misjudgements and unjust sentences against minors.

Iran ranks first in the world for the execution of children. Below is a list of minors executed from 2008 until now. All information has been published by reliable sources.

1	Javad Shoja'i[1]	16 at time of offence	26 February 2008	Murder
2	Mohammad Hasanzadeh[2]	17 at time of execution	10 June 2007	Murder
3	Hasan Mozaffari[3]	Under 18 at time of offence	22 July 2007	Adultery by force
4	Rahman Shahidi[4]	Under 18 at time of offence	22 July 2007	Adultery by force
5	Reza Hejazi[5]	15 at time of offence	19 August 2008	Murder
6	Behnam Zare'[6]	15 at time of offence	26 August 2008	Murder
7	Gholamreza H[7] (Afghan)	17 at time of offence	29 October 2008	Murder
8	Ahmad Zare'[8]	17 at time of offence	30 December 2008	---
9	Molla Gol Hasan[9] (Afghan)	17 at time of offence	21 January 2009	Murder
10	Delara Darabi[10]	17 at time of offence	1 May 2009	Murder

11	Ali Ja'fari[11]	17 at time of offence	20 May 2009	---
12	Behnud Shoja'i[12]	17 at time of offence	11 October 2009	Murder
13	Mosleh Zamani[13]	17 at time of offence	17 December 2009	Sexual offences
14	Mohammad A.[14]	17 at time of offence	10 July 2010	---
15	2 juveniles A.N. / H.B.[15]	17 at time of offence	20 April 2011	---
16	Alireza Molla Soltani[16]	17 at time of execution	21 September 2011	Murder of Ruhollah Dadash.
17	Arash Rahmani[17]	16 or 17 at time of offence, 18 at time of execution	28 January 2010	Collaboration with the Kingdom Assembly of Iran
18	Erfan Qoli Nezhad[18]	18 at time of execution	15 September 2013	Adultry by force
19	Unknown in Kazerun[19]	14 at time of offence, 18 at time of execution	September 2013	Murder
20	Ali (Kianush) Naderi[20]	14 at time of offence	16 January 2013	Murder

The following minors are already sentenced to death and are in death row:

- Bahaeddin Ghasem Zadeh:
Bahaeddin Ghasem Zadeh was arrested on charges of murder in 2013 and has been sentenced to *ghessas* ("retaliation").[21]
- Ashkan Miri:
With four votes in favour and one against, the penal court of the province of Fars sentenced Ashkan Miri to *ghessas* by execution.[22]
- Mohammad Reza Haddadi
Born 18 March 1988, Mohammad Reza Haddadi was 15 years old at the time of his arrest for the murder of Mohammad Baqer Rahmat. He is detained at Adel Abad prison in Shiraz.[23]
- Mohammad (Maher) Ayyashi
Mohammad Ayyashi is detained in Kazerun prison on charges of murder during a street fight. His sentence was due to be executed on 24 September 2013 but has so far been postponed.[24]
-Sina Paymard
He was detained for 3.5 years in Raja'i Shahr prison Karaj and twice taken up to the foot of the gallows. Upon payment of blood money and with the approval of the victim's heirs, he was released. However, according to his defence lawyer, he was then admitted to a psychiatric hospital with depression brought on by the traumatic experience of prison and death row. Still in hospital, he died on the consequences of his mental illness.

Influence of Public Execution on Children

The only justification ever presented by the authorities of the Islamic Republic of Iran to implement public executions is to impart legitimacy to the feeling of vengeance and restore a sense of peace and security to society. However, it thereby sends out the message that justice and social peace can be restored by executing the offender. Children watch these scenes alongside with adults. Violence becomes justified and interiorised and a positive model of violence is suggested to children. Short of the ability to distinguish the dangers, children emulate what is shown to them. As a result, two children died in Iran in 2013 while playing "execution." One of them, called Mehran Yusofi, eight, from the

village of Kalash Lulem in the district of Javanrud, wanted to reconstruct the execution of Ra'uf Mostafa'i, an inhabitant of the same village, who had been publicly executed. The boy lost his life in the course of this game.
The second instance is Mohammad Ashubi, seven, from the village of Fishvar in the province of Fars, who also lost his life while playfully reconstructing an execution.[25]

Marriage with adoptive children

In September 2013, a Bill on adoption of children under state care passed through the Iranian parliament and approved by the Guardian Council and consequently became law on 23 October 2013. Article 27 of the Bill sanctions the marriage of the adopted child to the adopted parents.
In addition to the harmful effects and damages caused by the passing and implementation of the supplement to Article 27 of the Bill for the Protection of Children and Young Persons Without Caregiver or With an Inadequate Caregiver, which on its own can be seen to violate the rights of children and in particular those of girls, there are other laws and ordinances such as *Sigheh* or "temporary marriage"[26]: temporary marriage - which can even be pronounced by the spouse himself - and Article 1041 of the Iranian Civil Code, which sets the age of marriage for girls at 13 solar years,[27] lead to a situation where a male guardian can enter into marriage with his female ward without any legal restriction. Alongside each other and jointly, these three laws compound the potential for all kinds of harm and abuse of specially girl children.

---

[1]http://www.roozonline.com/persian/archive/overall-archive/news/archive/2008/february/27/article/9-6.html
[2]http://www.bbc.co.uk/persian/iran/story/2008/06/080612_ge-juvenile-execution.shtml
[3]http://www.roozonline.com/persian/archive/overall-archive/news/archive/2008/july/31/article/-484117bb20.html
[4]http://www.roozonline.com/persian/archive/overall-archive/news/archive/2008/july/31/article/-484117bb20.html
[5]www.iran-emrooz.net/index.php/news1/16519
[6]www.iran-emrooz.net/index.php/news1/16561
[7]http://www.roozonline.com/persian/news/newsitem/archive/2008/november/02/article/87-6.html
[8]http://www.amnesty.org/en/death-penalty/executions-of-child-offenders-since-1990
[9]http://news.gooya.com/politics/archives/2009/01/082976print.php
[10]http://www.tabnak.ir/fa/pages/?cid=46020
[11]http://www.hrw.org/news/2010/10/08-5
[12]http://www.mardomsalari.com/template1/News.aspx?NID=63905
[13]http://www.bbc.co.uk/persian/iran/2009/12/091217_na_zamani_execution.shtml
[14]http://www.amnesty.org/en/death-penalty/executions-of-child-offenders-since-1990
[15]http://www.amnesty.org/en/death-penalty/executions-of-child-offenders-since-1990
[16]http://www.khabaronline.ir/%28X%281%29S%28xb3prytaezw0xpxpmupoktmkgy%29%29/detail/174446/society/events
[17]http://fa.wikipedia.org/wiki/%D8%A2%D8%B1%D8%B4_%D8%B1%D8%AD%D9%85%D8%A7%D9%86%DB%8C%E2%80%8C%D9%BE%D9%88%D8%B1
[18]http://www.seatnews.ir/fa/news/133268
[19]http://kareoonnema.ir/fa/news/10780
[20]http://www.mehrnews.com/detail/News/1792752
[21]https://hra-news.org/fa/uncategorized/1-15536
[22]http://radiokoocheh.com/article/86751
[23]http://fa.wikipedia.org/wiki
[24]http://iranhr.net/persian/2013/09
[25]http://tebyan.net/newindex.aspx?pid=263116

[26] http://www.shia-news.com/fa/news/3519
[27] http://re.majlis.ir/fa/law/show/99682